

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 2 September, 2009 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors I.T.W. Fletcher (Chairman), N.A. Dugmore, V.A. Fletcher (substitute for Cllr. R.G. Chaplin), J.A. Francis, H. Rhodes, M.J. Smith and K.L. Tomlinson (substitute for Cllr. G.M. Green)

**ALSO PRESENT:** Councillor A.A. Meredith (on behalf of Councillor A. Stanton for planning application W2009/0376) and Councillor C.F. Smith (for planning application W2009/0424)

#### **PB-29        MINUTES**

**RESOLVED** – that the minutes of the Plans Board held on 12 August, 2009 be confirmed and signed by the Chairman.

#### **PB-30        APOLOGIES FOR ABSENCE**

Councillors R.G. Chaplin, G.M. Green and F.R. Picken

#### **PB-31        DECLARATIONS OF INTEREST**

None.

#### **PB-32        PLANNING APPLICATIONS FOR DETERMINATION**

- (a)    W2009/0376 – Land Between 16 Longford Road and 1 Farm Grove, Newport, Shropshire

This application sought full planning permission for the erection of a bungalow with accommodation in the roof, associated access, parking and garden land on a small plot of land between No.16 Longford Road and No.1 Farm Grove. The site was formerly garden land to No.16 Longford Road but had been sold into separate ownership and was now entirely enclosed by timber boundary fencing with substantial hedge/tree planting to Farm Grove. Councillor Adam Stanton and Newport Town Council had both requested that the application be determined by the Plans Board.

In order to address the constraints of the site, the proposal was for the erection of a bungalow at the rear of the site with a footprint measuring 7.2m. by 6.1m., height to eaves 2.5m. and 6.2m. to ridge. The accommodation would consist of two bedrooms, one at ground floor and a larger bedroom at first floor, with a small lounge and kitchen. The frontage would be mainly driveway with parking and turning space together with an amenity area with screen fencing to provide some privacy to the occupants.

The principle of residential development on the site had been accepted with the granting of outline planning permission (W2006/0831) for a single  
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bungalow with a larger footprint positioned over the culvert that crosses the site and in line with adjoining properties, subject to agreement by the Council's Drainage Engineer of a submitted scheme for a build-over solution or diversion of a culvert which ran through the site. However, the applicant had now advised that he could not get a build-over agreement and it was considered that a diversion would not resolve the issues. The Drainage Engineer had no objection to the current development proposal subject to a condition being imposed stating that no structure should be allowed within 3m of the culvert and that the hard standing should not be built over in the future. The applicant also needed to be made aware that this was a Greenfield site and that, should they wish to connect the surface water to the culvert, it would be necessary to attenuate flows coming off the site. Given the size restriction on the site, the applicant needed to have demonstrated that this was viable at the planning application stage and not as a condition.

A number of pre-application sketches had been submitted but these had not been deemed acceptable due to the location, design and height of the dwelling and the applicant had, therefore, been advised that the development would be unlikely to receive full planning permission. Whilst it was accepted that the position of the culvert did somewhat constrain the development, it was not considered that this proposal provided a suitable solution.

The layout of the development, with the dwelling located at the rear of the site and the garden area to the frontage, together with the design and scale of the dwelling, was considered to be out of keeping with the character and appearance of the adjoining bungalows in the area and, therefore, contrary to national and local planning policies which asserted that a development should relate positively to its context with a design that improved the character and quality of an area. In addition, the first floor accommodation would not relate to the adjoining bungalows and its small footprint, due to the narrowing of the site, would not reflect the size of the adjacent detached and semi-detached bungalows.

Given its proposed location at the rear of the site and first floor accommodation, the proposed bungalow would have a dominant and overbearing effect on the adjoining properties and affect the outlook from existing rear elevations and overlook rear gardens and properties. In particular, the private rear garden area of No.16 Longford Road would be only approximately 5m. away and would suffer a significant loss of privacy. Whilst there was no window indicated on the rear elevation at first floor level or rooflights, due to the layout of the first floor accommodation future occupants might require additional light and the position of these would be likely to overlook other properties at the rear.

It was further considered that, given the proposed position of the dwelling with a principal window to the ground floor bedroom on the rear elevation, there would be an unsatisfactory distance of approximately 2m. between the window and the boundary treatment leading to limited light and outlook to this habitable room. In addition, as the proposed amenity space would be located at the front of the dwelling, in contrast to the layout of the established

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properties on the estate, there would be no private amenity area and its location could introduce garden paraphernalia which, whilst not subject to planning control, would further detract from the character of the surrounding area.

The Council's Highways Engineer had no objection in principle but had requested conditions be imposed on any permission to stipulate that there should be no gates to the driveway and that, prior to the development being brought into use, the access driveway should be surfaced in a bound material for a minimum distance of 5m. from the rear of the highway boundary. The Fire Authority had advised that it would be necessary to provide adequate access for emergency vehicles.

Newport Town Council had strong reservations about the application, as it considered that the proposed dwelling was not in keeping with existing development in the vicinity, had a history of retaining water and its proximity to the culvert on the site. Thirty-six letters of objection had been received from neighbours, as summarised in the report. Members were informed by an update tabled at the meeting that a further letter of objection had been received citing the adverse impact of the development on wildlife.

In conclusion, it was considered that the proposal failed to respect or enhance the character and appearance of the existing residential area contrary to Policies CS6 and CS15 of the Core Strategy, UD2 and H6 of the Wrekin Local Plan and national guidance, as it would be of a significantly different scale, design and layout to the existing single storey properties and would not follow the building line.

Councillor A.A. Meredith was invited to address the Board on behalf of Councillor A. Stanton (Ward Member) and spoke in support of the officer recommendation and for local residents. He said that the addition of a two storey property on such a tiny site would be inappropriate in the middle of an area of high quality bungalows. The residents on both sides of the application site were elderly and retired and were concerned that, if approved, the property would disturb the birdlife in their gardens.

Members of the Board considered that the proposal, if approved, would be detrimental to the street scene by being out of proportion with the existing bungalows. In addition, neighbouring properties would be overlooked in an unacceptable manner.

**RESOLVED – that planning application W2009/0376 be refused for the following reasons:**

- (a) It was considered that the proposed bungalow with first floor accommodation was unacceptable by virtue of the footprint, height, design and siting, located in an area characterised by bungalows fronting the highway with rear garden areas situated along a distinctive building line. The proposed development would be constrained and would appear as a cramped form of**

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**development at the rear of the narrowing plot, which would be out of keeping with the prevailing character of the area. Thus the proposal would be contrary to Policies CS6 and CS15 of the Core Strategy Development Plan Document adopted December 2007, Policies UD2 and H6 of the Wrekin Local Plan 1995–2006, and national guidance contained in PPS1 and PPS3;**

- (b) The Local Planning Authority considered that the development by reason of its siting, height and proposed first floor accommodation, and the prevailing character of development, would have a detrimental effect on the amenities of the adjoining bungalows in Longford Road and Farm Grove in terms of overlooking, loss of privacy, loss of light and outlook. Accordingly, the development was contrary to Policy CS15 of the Core Strategy Development Plan Document adopted December 2007, Policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006, and national guidance in PPS1 and PPS3;**
- (c) The proposal by virtue of its siting, the narrowing nature of the site and proximity to existing boundary treatments would have an adverse impact on the residential amenities of the proposed dwelling in terms of light, outlook and lack of private amenity area. Therefore the proposal would be contrary to national guidance contained in PPS1 and PPS3.**

(Democratic Services Officer note: Councillor K.L. Tomlinson having arrived at 6.15 p.m. did not take part in the voting on the above application.)

- (b) W2009/0424 – 88b Hire Station, Trench Road, Trench, Telford, Shropshire**

The applicant sought planning permission to change the use of an existing building from a tool and plant hire business (A1 use class) to car sales with a workshop/car preparation bay to the rear on a site on a classified road on a main bus route in a mixed residential and commercial area and directly opposite the existing site of the applicants' Fiat garage and showroom. The change of use would involve the relocation of staff from the existing car showroom for sales and valeting purposes. Councillor C.F. Smith, as Ward Councillor, had requested that this application be considered by the Plans Board.

The existing modern brick building with a metal roof consisted mainly of a workshop area with showroom and storage areas and ancillary facilities. The frontage comprised a showroom window together with small windows and double doors with further access points on the side and rear elevations. Rooflights were located on both planes of the roof with an existing flue to the heating unit. The building was set back from the road with an area of hardstanding to the front and had security bollards located in front of the main entrance points and a yard to the side enclosed by a wall and metal gates. Under the proposal it would be altered to incorporate a showroom and

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workshop area, with windows added and cladding to the fascia which would be of a form and appearance similar to the existing ones. Whilst the alterations would alter the scale and design of the building, they would not detract from the character or appearance of the existing development or have an unduly harmful impact on the adjoining residential amenities.

The proposal would allow the applicants to relocate their Suzuki vehicles, which were currently accommodated at the Fiat garage opposite, onto a separate site and so meet the necessary minimum standards to retain both franchises. They had advised that there would be no additional business or deliveries above the current approximately two transporter deliveries a week. Servicing of the vehicles would take place on the main Fiat garage site and valeting within the application site would only be on Suzuki vehicles for sale. The proposal would not, therefore, expand the business or increase traffic, but would improve the existing arrangements to display Suzuki products.

Four letters of objections had been received from neighbouring residents in Trench Road together with a petition with six signatures from residents in Trench Road and Springfield Road, as summarised in the report. However, Members noted that the tool hire business would have been able to increase its activities with little control over the number/frequency of deliveries of machinery, etc. The current permitted hours of operation enabled the business to operate from 8.00 a.m. Monday to Saturday, until 6.00 p.m. on weekdays and 5.00 p.m. on Saturdays, which could cause noise and disturbance. This application, therefore, offered an opportunity to control activities and deliveries on the site, together with more restrictive hours of working.

Whilst there was limited parking on the application site, the car sales site opposite had a large parking area to the rear for customers and staff and the main valeting and servicing of vehicles would be undertaken on that site. The workshop and jet wash facility, indicated on the plans to be at the rear of the building, could potentially create noise adjacent to rear gardens but the hours of operation could be strictly controlled by conditions with no opening on Sundays. The Council's Highways Engineer, following discussions with the applicants had agreed a limit of six vehicles for display and two customer parking spaces. In presenting the report the Planning Officer sought approval to make minor amendments to conditions 3, 4 and 6 relating to these issues.

Councillor C.F. Smith, the Ward Member, was invited to address the Board and said that he did not oppose the application but had taken a neutral position in meetings between the applicants and the local residents. The local residents had been concerned that the proposed changes would make the building too high but had been assured that only the front fascia height would be increased. Concern had also been expressed at the hours of operation as there was no limit on the current tool hire business and the site was noisy on a Saturday afternoon when tools were returned. Whilst concerns had also been expressed regarding the use of the jet wash, the applicants had assured him and the residents that this would only be used for cleaning cars for sale and new ones. However, he requested that an appropriate condition be

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attached to any approval to ensure that this was adhered to. The number of vehicles for sale, the number of customer parking places and the proposed hours of opening were acceptable and he was pleased to see the amendment to Condition no. 4 restricting the deliveries by transporter to no more than two per week.

Members were pleased to note the way in which the applicants had sought to work with local residents. However, Councillor V.A. Fletcher expressed concern at the possible problems that could be caused by there being more customers than there were available parking spaces and from the use of the jet wash, particularly with regard to the waste water drainage. In response the Planning Officer said that a condition could be placed on any approval to require the applicant to submit details of the disposal of the waste water. With regard to parking, it would be permissible for more than two customer vehicles to park on the site and on-road, which could not be controlled but, if there were more, the applicant's site on the opposite side of the road had sufficient parking space. Councillors V.A. Fletcher and N.A. Dugmore also raised a concern as to the provision of parking spaces for disabled drivers and it was agreed that a condition should be added to the planning permission requiring the applicant to submit details that clearly identified the customer car parking spaces and those for disabled drivers.

**RESOLVED** – that with respect to planning application W2009/0424 planning permission be granted subject to:

- (i) **the conditions, as set out in the report, with Conditions 3, 4 and 6 being amended, as shown in italics as follows;**
  - (a) **Condition 3: to read 'Maximum of 6 vehicles to be displayed *for sale* on forecourt area at any one time;**
  - (b) **Condition 4: to read '*no more than 2 deliveries by transporters a week*);**
  - (c) **Condition 6: to read 'Hours of preparation/valeting/*jetwashing* of vehicles limited to Mon – Fri 8.30am – 5.30pm, Sat 8.30am – 1pm. No such operations to take place on Sundays or Bank Holidays;**
- (ii) **and subject to additional conditions requiring the submission of satisfactory details relating to the disposal of waste water from the jet wash and to the submission of clearly identified customer car parking spaces included those for disabled drivers.**

### **Informative**

**No vehicles for sale to be parked or displayed on highway.**

- (c) W2009/0523 – 12 The Parade, Donnington, Telford, Shropshire

This application related to a change of use of a shop unit from retail (A1) use to a mixed use of café (A3) and hot food takeaway (A5), with home delivery service located in a designated District Centres. The shop was one in a  
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crescent of twelve units, all with residential flats above. Two of the units were A5 (hot food takeaway) uses and there was a car parking area in front of the crescent.

This shop unit had been vacant for eighteen months before the applicant opened it in January 2009 but using only a very small area for retail purposes. Planning permission had been granted in June 2009 (W2009/0329) for use as a café for 12-14 people but the applicant now wished to have a mixed café and takeaway use, with a home delivery service.

Policy S22 of the Wrekin Local Plan stated that proposals for any change from retail to non-retail use within Donnington District Centre would only be acceptable if it was demonstrated that it had not been possible to find a user for the premises following a period of continuous marketing of not less than twelve months. The Council's Property & Design Section, as owners of the property, had confirmed that it had been unable to find a tenant during the eighteen month period leading up to January 2009.

It was, therefore, considered that there appeared to be little demand for additional retail outlets in this shopping centre and it was considered that a more viable non-retail use might assist in bringing more customers into the District Centre and that the proposed change of use would not cause any demonstrable harm to the retail character of The Parade or in any way adversely threaten the vitality and viability of the Shopping Centre. However, should the application be approved, no further hot food takeaways should be allowed in The Parade as there would then be a definite imbalance in the relationship between retail and non-retail uses.

The Council's Environmental Health Officer had confirmed that the proposed fume extraction system was acceptable but had requested that conditions imposed to ensure that it was installed before the proposed uses commenced, and that no vibration, noise, odours and smells were detectable at any time in the flats above the shop unit. The applicant wished to close at 10.30 p.m., which was an hour earlier than the stipulated closure time of the two other hot food takeaway outlets in The Parade.

Four letters of objection had been received from local residents together with a petition signed by 365 people, as set out in the report. The Parish Council had raised no objections to the application. Officers considered that the additional takeaway element would not adversely affect the residential amenities currently enjoyed by the occupiers of residential properties in the vicinity of the site through the generation of any appreciable increase in noise, smells, traffic, or other factors.

Councillor V.A. Fletcher raised a number of concerns relating to the layout of the premises but the Planning Officer explained that control of these was the responsibility of the Environmental Health Officer, who had raised no objections. However, she agreed that a condition could be imposed on the approval limiting the service of hot food and takeaways to an identified area within the public area of the café. The Board supported the recommendation

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for approval as they considered it preferable that the premises be used rather than left empty.

**RESOLVED** – that with respect to planning application W2009/0523 planning permission be granted subject to the conditions as set out in the report and subject to an additional condition limiting the serving of hot food and takeaways to an identified area of the café and to the noise mitigation of any fume extraction system prior to the commencement of the approved use.

- (d) W2009/0593 - Lilleshall County Primary School, Church Road, Lilleshall, Shropshire

This application by Telford & Wrekin Council related to the erection of an external covered play canopy located to the rear of the main school building and an entrance canopy at the front entrance door, which would project one metre. The proposed canopies would feature a curved roof design with polycarbonate glazing and would not exceed the height of the single storey elements of the school building to which they would be attached. Neither canopy would have a significant impact on amenities.

**RESOLVED** – that with respect to planning application W2009/0593 planning permission be granted subject to the conditions as set out in the report.

- (e) W2009/0594 – St. Matthew’s Church of England Primary School, Church Road, Donnington, Telford, Shropshire

This application by Telford & Wrekin Council requested planning permission to create a hard play area on an existing playing field, 29m by 20m, with a footpath link to the existing playground. St Matthew’s Church and a community centre were located adjacent to the application site.

The Council’s Drainage Engineer had stated that porous tarmac should be used for the play area and that conditions should be imposed regarding the submission of details on the discharge of the surface water drainage and to details of the additional land that would offset the development. The Geotechnical Engineer had requested additional information to establish whether the site was on a slope and would require earthworks at the foot of the spoil mound to ensure its stability together with a report on the number of mineshafts within site, which had not been received by the date of the meeting. The Council’s Environmental Planning Assistant had advised that, given the site’s location it had the potential to support protected species such as slow worms and an informative should be included stating that, if protected species were encountered during the works, the development must be halted and advice sought from a qualified ecologist/ Natural England.

Sport England had submitted an objection on the grounds of there being an unjustified loss of playing field as no detailed justification had been included with the application. This had now been submitted, as set out in the report,

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and forwarded to Sport England for further comment. An update tabled at the meeting informed the Board that the applicant's agent had submitted further information to demonstrate that the proposed site of the hard play area was the most suitable location for the development and would not lead to a loss of useable playing field as the area would not constitute a playing pitch of a necessary size and the topography made the site unsuitable for use as a formal pitch. The proposal would, however, create a level and well-drained playing surface and could be used for games/sport development when grassed areas were deemed unusable. It would also provide improved facilities to enable people with disabilities to take part in activities on a more solid and accessible surface.

Sport England had assessed this information and considered that, due to the constraints of the site and the fact that it was not currently used as a playing pitch and that the proposed hard play area could be used for games/sport development, the proposed development had the potential to be of sufficient benefit to sport to outweigh any harm caused by the loss of the grassed playing field area. Consequently, Sport England withdrew its objection to the proposal.

As the central area of the school grounds nearest to the main school building mainly comprised hard play areas, a tarmac pedestrian link from St Matthew's Road and a number of structures, it was considered that the proposal would relate to the prevailing use and would not result in a loss of the main playing field/pitch, as this would remain unaffected at the south of the site. The hard play area would be located within the site and constructed in tarmac matching existing areas at the school, in accordance with local urban design policies. It would be visible but not overly prominent from the adjacent public footpaths, with grassed areas surrounding the development and retention of existing screening.

**RESOLVED** – that with respect to planning application W2009/0594 planning permission be granted subject to the conditions as set out in the report.

- (f) W2009/0621 – Ladygrove Primary School, Old Office Road, Dawley, Telford, Shropshire

This application by Telford & Wrekin Council sought permission to extend the area of hard play space in order to replace that which would be lost during the extension of the school building. The proposed hardstanding would be to the south-east of the school building and would have multi-use sports markings.

The site was located within land designated as 'Green Network' in the Wrekin Local Plan but its use for children's play facilities was compatible with its long term aims of providing community and recreational facilities. In addition to having no adverse affect on the function of the Green Network, the proposal would provide educational benefits for a site of no ecological, geological or archaeological importance.

The proposed area of hardstanding was of a relatively small scale and would  
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not dominate the property or the surrounding area and, being a modest addition on the edge of the existing hard play area, it would be in keeping with the character and appearance of the surrounding area. The majority of the large school site comprised playing field and, therefore, the proposal would not lead to a detrimental loss of green space. The nearest residential properties were located some 40m. away and benefited from substantial screening, therefore, the proposal would not have any detrimental impact on their amenities.

The Council's Drainage Engineers had raised no objections to the proposal subject to a condition stating that details should be provided regarding mitigation methods for the additional water runoff.

**RESOLVED** – that with respect to planning application W2009/0621 planning permission be granted subject to the conditions as set out in the report.

**PB-33            SITE VISITS**

The Chairman informed Members that an application relating to redevelopment of the Civic Centre was scheduled to be considered at the next meeting of the Board on 23 September 2009 and recommended that a site visit be agreed at this meeting. Members were in agreement and noted that, if the application was not included on the agenda for the 23 September meeting, the site visit would not take place.

**RESOLVED** – that with regard to the planning application for the redevelopment of amendments to the entrance to Wellington Civic Centre Market scheduled to be submitted to the Plans Board on 23 September, 2009 a site visit should take place at 4.30 p.m. on that day.

**PB-34            PLANNING APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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

The meeting ended at 6.46 p.m.

**Chairman:** .....

**Date:** .....

**TELFORD & WREKIN COUNCIL**

**PLANS BOARD – 23<sup>RD</sup> SEPTEMBER, 2009**

**TREE PRESERVATION ORDER 2009**

**REPORT OF THE HEAD OF LEGAL SERVICES**

**1.0 PURPOSE**

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

**2.0 RECOMMENDATIONS**

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

- 2.1 Borough of Telford & Wrekin (Rear Garden of 34 High Street, Ironbridge, Telford, Shropshire) Tree Preservation Order 2009;**

**3.0 SUMMARY**

- 3.1 On the 30<sup>th</sup> July, 2009 a provisional Tree Preservation Order was made in respect of a Chilian Pine (Monkey Puzzle) tree (identified as T1 on Appendix **A**) in the rear garden of 34 High Street, Ironbridge, Telford, Shropshire. The tree is shown in the photographs attached as Appendices **B** and **C**.
- 3.2 On the 2<sup>nd</sup> September, 2009 an objection was received to the Order from the Landmark Trust, the owners of the property.

**4.0 PREVIOUS MINUTES**

- 4.1 None.

**5.0 INFORMATION**

- 5.1 Details of Objection submitted by the Landmark Trust

Background

The Landmark Trust is a building preservation charity, which acquired Iron Bridge House (34 High Street) in 1972 and carried out a complete refurbishment of the property before making part of it available for short term holiday lets, a use that continues to this day. It is one of their most popular properties with very high levels of occupancy due to its location and historical context. The property was constructed by Henry Smith, grocer in the 1830s, to live in and run his business as 'grocer,

tea dealer and tobacconist, butter, cheese, bacon, London dip, store and mould candles, hop and flour factor'. A grocery and off-licence business continued until fairly shortly before the Landmark Trust acquired the property. The part used for retail sales is now occupied by the Ironbridge Gorge Museum Trust. Originally, many of the supplies arrived by river and the garden area was important because it gave access to the river and its produce supplied the house.

With reference to the photograph shown at Appendix **D** (dated 1972), there were no significant trees growing in the garden. However, at the time of acquisition, part of the property was occupied by a sitting tenant, who is still in residence today, and who planted a number of non-native species that have come to dominate the garden. It is these trees that the Trust is now seeking to remove for the following, predominantly historical reasons:

- (i) Originally the land was an orchard and vegetable garden with no large trees. When the property was sold in 1916, as a grocery business, the sale particulars included the following 'Capital garden, planted with choice Fruit Trees and Roses, Three Greenhouses, Summer House, Potting Shed, Fruit Room and Storage'.
- (ii) Iron Bridge House is intended to be 'read' as a whole i.e. the gardens are an integral part of the building and, as such, the size and species of trees and shrubs are very important to the overall setting.
- (iii) The Monkey Puzzle is not a tree that would have been planted at the time the property was built.
- (iv) One of the important views to the river has been lost.
- (v) The tree has a potential top height of 45 metres and would dominate the garden thereby severely reducing the view available of the building from the west bank of the river.
- (vi) The listed outbuildings all suffer from subsidence cracks and any large tree is bound to be a contributor to this problem.

The prompt for this work has been the increasing age of the tenant, which has now allowed the Trust, with his agreement, to take back part of the garden so that a plan can be created to re-establish a garden more similar to the original that will include the removal of flower beds, the felling of trees (so that the tunnels used to deliver goods that had arrived by boat to the building, may be seen from the far side of the river) and the planting of additional fruit trees.

The Trust wishes to be allowed to fell the Monkey Puzzle tree so that its guests, as well as visitors to, and residents of Ironbridge can fully appreciate this most important historical building in its true context.

## 5.2 Response of Arboricultural Officer

5.2.1 **Iron Bridge House was built to live in and run a grocery business from in the 1830s.** The Monkey Puzzle tree was introduced into the UK in the 1850s and was planted by successful business men and gentry as a show of wealth and stature.

5.2.2 **One of the important views of the river has been lost.** This tree is considered to have high public amenity value, being visible from a number of places in and around the bridge itself. As this tree matures the lower limbs will be lost (shaded out) making the 'view from' the property towards the river achievable. A photograph of a Monkey Puzzle tree in maturity with a bare stem and very high canopy is shown as Appendix E for Members' information.

5.2.3 **This tree has a potential height of 45 metres.** The highest recorded height of a Monkey Puzzle tree in this country appears to be in the region of 26 metres. Please also consider the response given earlier regarding the loss of visibility to the property.

5.2.4 This tree is considered to be a typical planting that would be found within the grounds of such a substantial property. Given time the tree will fit in very well with the surrounding landscape and soften the hard edges of this industrial landscape.

5.2.5 This tree has been planted in a corner of the garden area of this property and, as such, is not felt to be obstructing any future planting plans or schemes for this area.

5.2.6 There was no structural damage noted to retaining walls or outbuildings that could be attributed to this tree at the time of 'visual tree assessment'.

5.2.7 Please be aware that extensive tree surgery works have been undertaken in the immediate landscape in a bid to create vistas and expose other historic buildings in such a way so as to enhance the landscape of this world heritage site. This Monkey Puzzle tree is considered to fit in very well within this context.

5.2.8 There are a number of trees within this garden that are to be removed and it is felt that once this has been achieved the retention of this tree will be felt to be justified.

5.2.9 Given the above comments it is considered that this Tree Preservation Order should be confirmed without modification.

## 6.0 EQUALITY & DIVERSITY

6.1 Not applicable.

## **7.0 ENVIRONMENTAL IMPACT**

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

## **8.0 LEGAL COMMENT**

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

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

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

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

## **9.0 LINKS WITH CORPORATE PRIORITIES**

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

## **10.0 FINANCIAL IMPLICATIONS**

10.1 There are no financial implications for the Council.

## **11.0 WARD IMPLICATIONS**

Newport and Wellington

## **12.0 BACKGROUND PAPERS**

Borough of Telford & Wrekin (Rear Garden of 34 High Street, Ironbridge, Telford, Shropshire) Tree Preservation Order dated 30<sup>th</sup> July, 2009

Letter of objection dated 2<sup>nd</sup> September, 2009

**Report prepared by Susan Goater, Democratic Services Officer**  
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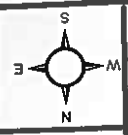
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Ironbridge  
34, High Street

Title: Rear garden of

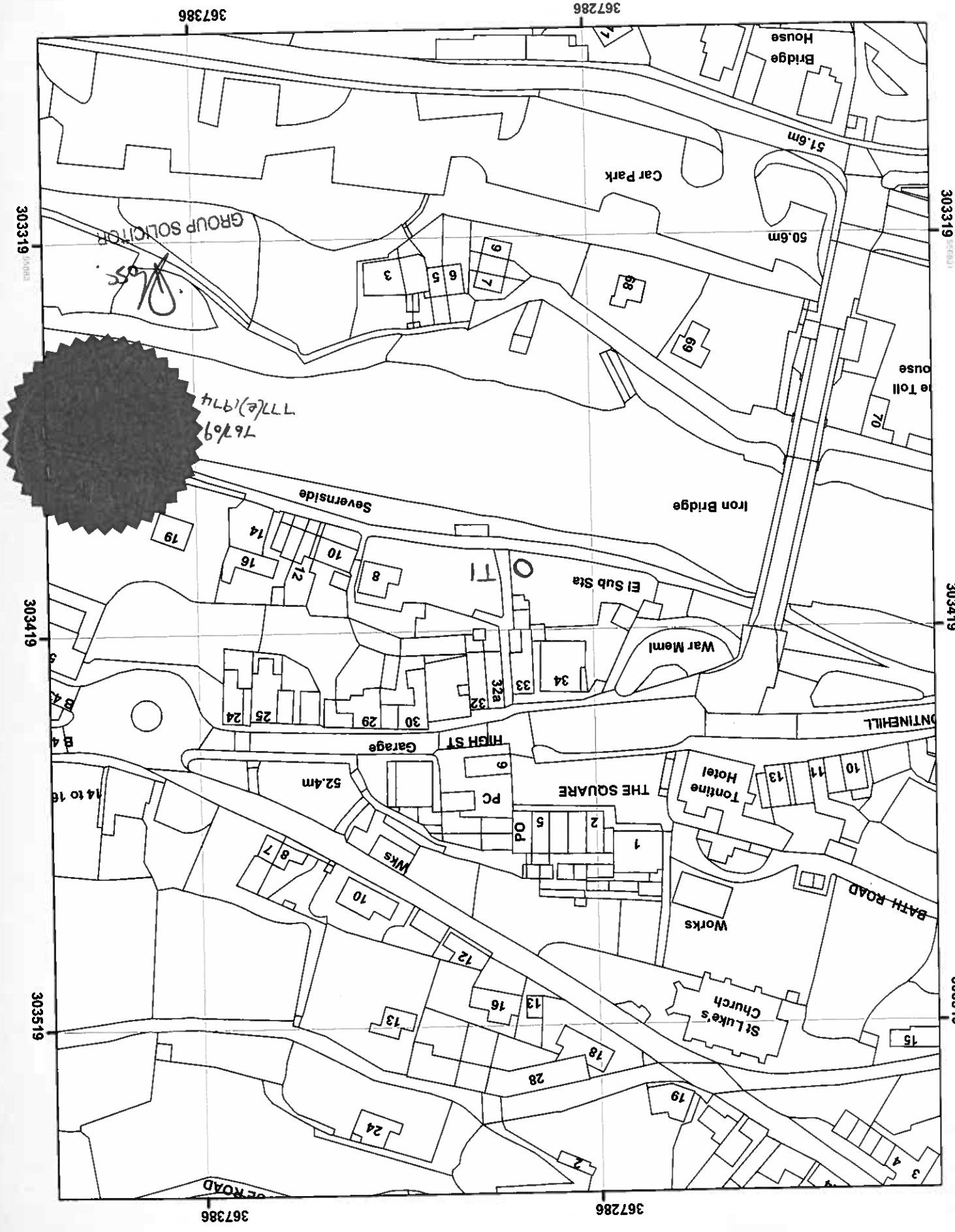
Scale: 1:1,250

Date: 29th July 2009

Drawn By: Matthew Seabrook



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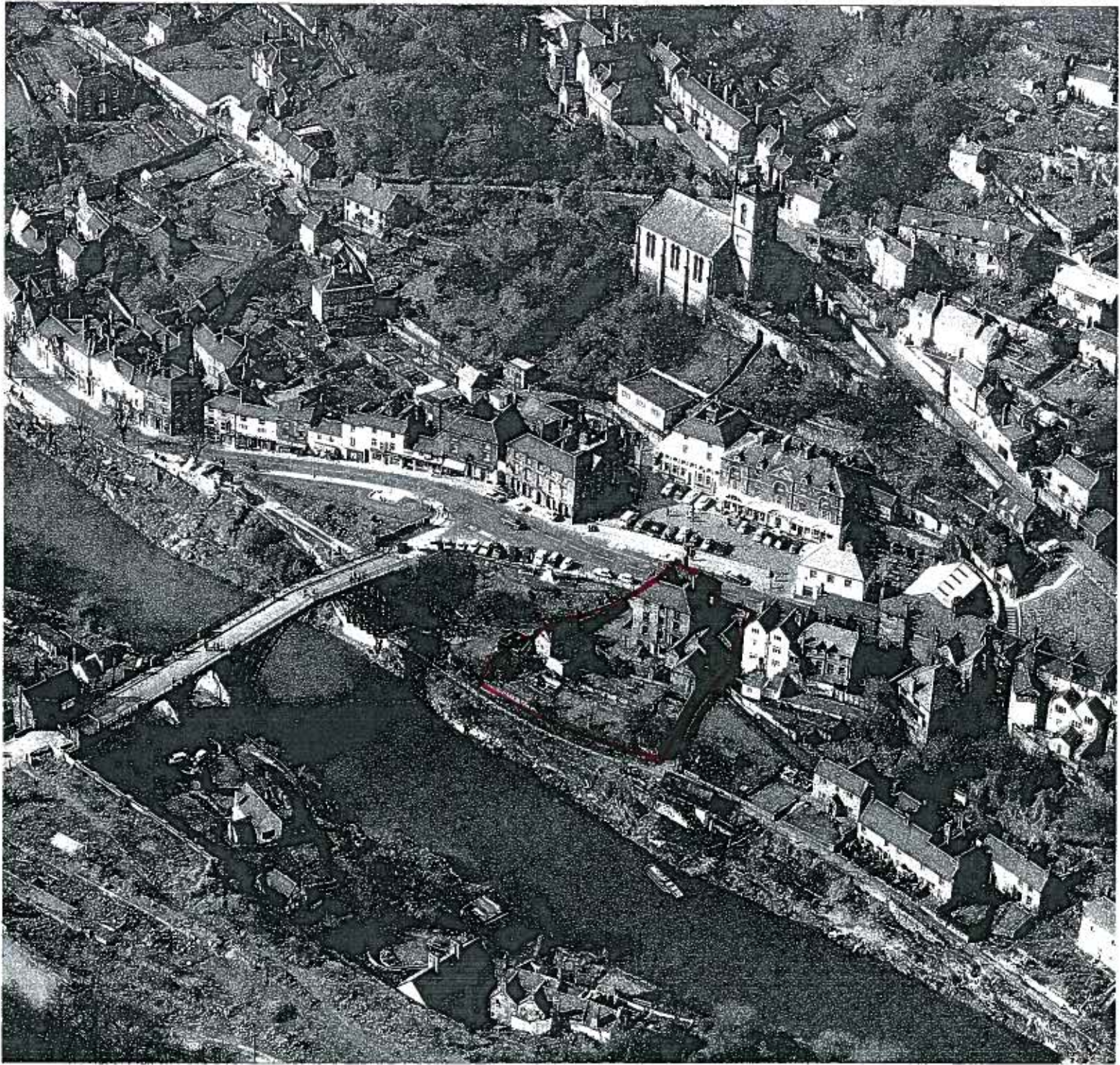


Photo No: 1/1  
Subject: 34 High Street, Ironbridge

Card No: 1

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**TELFORD & WREKIN COUNCIL**

**PLANS BOARD – 23<sup>RD</sup> SEPTEMBER 2009**

Schedule 1 : Planning Applications for determination by Board

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

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Agenda Type : A

W2009/0272 Erection of a 946sqm retail unit with car parking and servicing  
Site of former Champion Jockey Public House, Wrekin Drive, Donnington, Telford,  
Shropshire.

Recommendation Code: FG

Ward: Donnington

APPLICANT:  
Netto Foodstores Ltd

RECEIVED ON:  
22/04/09

PARISH  
Lilleshall & Donnington

WARD  
Donnington

CASE OFFICER:  
Phil Baker

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Additional retail facility, Increase in traffic, Loss of willow tree.

THE SITE AND THE PROPOSAL:

This is a full planning application for the erection of a retail convenience store on the corner of Wrekin Drive and Turreff Avenue in Donnington. The proposed development also includes the provision of a car park for 33 cars, together with motorcycle and cycle parking, and ancillary servicing facilities. A single access point off Turreff Avenue will serve both the servicing area and the customer car park. There are pedestrian accesses off Turreff Avenue and Wrekin Drive.

The proposed retail store has a gross floorspace of 946 square metres, comprising 792 sqm of sales floorspace and 154 sqm of servicing/administration/offices.

The site, which was previously occupied by a public house that has now been demolished, extends to 0.3 hectare in size. It is located to the south of The Parade, at the southernmost part of Donnington District Centre, which is an established retail area that comprises a mixed shopping parade fronting Wrekin Drive. To the east of the site is the library and Turreff Hall (a community building), and to the south and west, on the opposite sides to Turreff Avenue and Wrekin Drive, are existing residential dwellings.

When the application was originally submitted the retail store was located in the north west corner of the site, hard up to the northern and western boundaries. Your officers considered this would have created a stark and dominant development which would have been very overbearing. It would also have been in front of the established building-line in The Parade and out of character with the surrounding area. In addition, it did not give any opportunity for any landscaping/planting in front of the building to soften its appearance and lessen its impact on the street scene.

Subsequently, the applicants have submitted amended plans which show the building turned round 90 degrees, hence presenting its longer side to the street, and moved towards the eastern boundary of the site, away from the road frontage, with the bulk of the parking between the building and the Wrekin Drive frontage.

The external materials of the building comprise brickwork, silver coloured metal cladding, and glazing for the walls, and grey coloured cladding for the pitched roof. The wall of the most prominent elevation, along Wrekin Drive, will be of brickwork and glazing, with no cladding.

The service yard is located between the building and the eastern boundary of the site. It will be enclosed by an acoustic fence to mitigate any possible problems of noise to local residents. Existing boundary treatments – mainly brick walls – will be retained and, where appropriate, enhanced. A comprehensive landscaping/planting scheme will be undertaken around the western, southern, and eastern site boundaries.

The retail store would be open to the public from 8.30am to 8.00pm Monday to Saturday, and between 10.00am and 4.00pm on Sundays. There would normally be three deliveries a day, and these will be restricted to between 7.00am and 8.30pm. The applicants claim that the store would generate 5 full-time and 10 part-time jobs.

The large willow tree on the site, which is protected by a Tree Preservation Order, will need to be felled because of structural defects.

#### CONSULTATION RESPONSES:

4 letters have been received from local residents, summarised below as follows:

- Donnington does not need another supermarket
- Will harm the existing small businesses on The Parade
- It will kill the Co-op
- Netto is a discount food chain widely commented on as 'cheap and nasty'
- Increase in traffic
- Willow tree should be retained
- Need for more boundary planting
- Would be in front of the existing building line of the other shops and would overpower them (the amended plans show the building set further back in the site)
- Loss of light into adjoining shops
- Car headlights would affect residents living on Wrekin Drive and Turreff Avenue
- Signage should be reduced in size
- Delivery lorries will cause traffic congestion
- Boundary fences will make the place look like an armed compound (there are no boundary fences on the amended plans)
- The site should be developed for a public house or a restaurant

The Parish Council has objected to the application on the following grounds:

- The store will have a detrimental impact on the adjoining shops
- Noise nuisance caused by late night and early morning deliveries
- Increase in HGV traffic on local roads
- Delivery lorries would block a busy residential road and bus route, and jeopardise the safety of local children on their way to school
- No provision has been made for staff parking
- The willow tree is healthy and should be retained

- Increase in light pollution
- Noise from refrigeration units
- The building is very close to the adjacent library/Turreff Hall boundary wall
- If planning permission is granted, the developer should pay for the car parks at the front and rear of the Turreff Hall to be increased in size.

The Council's Development Plans Officer has confirmed that because the proposed store would be located within a District Centre there is no requirement for the applicants to undertake an assessment of 'need', a retail impact study, or a sequential approach in respect of the development.

The Council's Geotechnical Engineer has no objections to the application.

The Council's Drainage Engineer has no objections, subject to conditions relating to:

- (a) disposal of surface water
- (b) the provision of oil interceptors in loading areas
- (c) details of surface water run-off rates
- (d) porous paving on all hardstanding areas.

The Council's Woodland Officer has agreed to the felling of the protected willow tree on the site because after close inspection he found that the tree has severe structural problems. However, to compensate for its loss he feels that the landscaping scheme for the site should include some 25-30cm diameter extra heavy standard trees.

The Council's Environmental Health Officer has no objections to the amended plans, subject to conditions relating to:

- (a) an extension of 7 metres to the acoustic fence around the service yard and loading dock
- (b) all deliveries taking place between 7.00am and 8.30pm.

The Council's Highways Engineer has no objections in principle but will be seeking financial contributions towards highway improvements to encourage sustainable travel to the store. This may include upgrading the existing pelican crossing, or even providing a new crossing, and the provision of dropped kerbs/tactile paving. More details will be provided at the Plans Board meeting.

Severn Trent Water has no objections, subject to a condition relating to the provision of foul and surface water drainage.

#### PLANNING POLICY:

The following statutory policies are relevant in the determination of this application:  
Wrekin Local Plan

Policy S1 – Service Centre Hierarchy. This states that new retail development will be expected to locate within the Town and District Centres in accordance with their role in the hierarchy. Donnington is identified as a Level 2 Centre in the hierarchy.

Policy UD2 – Design Criteria. This states that new development must respect and respond positively to its context, respect and relate to adjacent buildings, and preserves and reinforces existing street patterns and layouts.

#### LDF Core Strategy

Policy CS5 – District and Local Centres in Telford. This states that District Centres will be the focus for new development serving the needs of their communities. They will be economically and commercially self-sustaining, and comprise core services and facilities. By concentrating new development within these Centres it will help to sustain and enhance their vitality and viability.

Policy CS8 – Regeneration. This states that new development within District Centres will strengthen their role, and enhance the services and facilities they provide.

Policy CS9 – Accessibility and Social Inclusion. This states that locating new development in existing centres will minimise the distance people need to travel, and therefore makes it more accessible by public transport, walking and cycling.

#### PLANNING CONSIDERATIONS:

The application site lies within the boundary of Donnington District Centre (as shown on the Wrekin Local Plan) which serves the daily needs of residents in a large part of north east Telford with a wide range of retail and other services..

It is considered that the provision of the new retail store will reinforce and enhance the vitality and viability of the District Centre. By increasing the range of services and facilities within the Centre it will encourage more people to shop locally, rather than travelling further afield. Moreover, it is likely that existing shops in the District Centre will prosper because customers of the new store may undertake linked trips to other units and facilities within the Centre. Therefore, retailing as a whole will be strengthened and enhanced by this new outlet, which will be beneficial to the District Centre as a whole.

It is acknowledged that there is a Co-op retail store within the District Centre at present but because this is a designated District Centre a retail impact assessment of retail 'need' has not been necessary in this case. Although the current applicants will operate a discount supermarket from the site, the type of goods to be sold cannot be controlled. Therefore the premises could later be occupied by a different retail operator, although he would be restricted to selling A1 (Retail) merchandise.

It is considered that the design and appearance of the proposed store relates positively to the other buildings in the Centre, and will substantially improve and enhance the appearance of this prominent site. In particular, the amended layout respects the strong building line of The Parade on the adjoining site.

The revised position of the building within the site, together with its size and scale, will enable it to fit in and complement the other buildings in the District Centre without appearing to dominate and overpower them.

Being in the middle of a large residential area many people will be able to walk to the new store. However, the provision of 4 cycle bays will also encourage cycle use to and from the site. Furthermore, the site is well served by the existing public transport network and three of Telford's frequent bus services pass the site. Bus stops are located on both Wrekin Drive and Turreff Avenue.

The Council's Highways Engineer is generally satisfied with the submitted proposals. He is a little concerned that at peak periods, such as Saturday mornings, there will be insufficient parking spaces available, even though the number of spaces slightly exceeds the parking standards in the Wrekin Local Plan. Consequently, he will be requiring a Traffic Regulation Order to be drawn up to control on-street parking along Turreff Avenue. He is also seeking financial contributions towards highway improvements to encourage sustainable travel to the store. This may include upgrading the existing pelican crossing, or even providing a new crossing, and the provision of dropped kerbs/tactile paving. The proposed cycle provision exceeds the requirements of the Wrekin local Plan.

The loss of the existing willow tree on the site is regretted, and there will be a loss of amenity in the short-term, but the Council's Woodland Officer has confirmed that the tree has severe structural problems. However, a comprehensive replacement planting and landscaping scheme around the site boundaries will eventually compensate for this loss in the medium to long-term.

This development will regenerate the site and provide improved retail facilities for the local community. The size of the new store is appropriate for the size of the site and commensurate with the size of the District Centre, and therefore will complement the range of existing retail units already present, and enhance the vitality and viability of the Centre as a whole.

**RECOMMENDATION:** Subject to the applicants entering into a Section 106 Agreement relating to financial contributions towards highway improvements and drawing up a Traffic Regulation Order, then delegate to the Head of Planning to **GRANT PERMISSION** subject to the following conditions:

1. A3 – Full permission
2. C120 – Amended plans
3. B15 – External materials
4. C104 – Drainage details
5. Drainage – oil interceptors
6. Drainage – run-off rates
7. C86 – Parking
8. B23 – Landscape design
9. C80 – Landscape implementation
10. Hours of opening – 8.30am to 8.00pm Monday to Saturday, and 10.00am to 4.00pm Sundays
11. Hours for deliveries – 7.00am to 8.30pm
12. Hours of working on construction of building
13. Provision and details of cycle stands
14. Formation of access
15. Lighting and floodlighting

**REASONS FOR APPROVAL:**

This development will regenerate the site and provide improved retail facilities for the local community. The size of the new store is appropriate for the size of the site and commensurate with the size of the District Centre, and therefore will complement the

range of existing retail units already present, and enhance the vitality and viability of the Centre as a whole.

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Notes

Agenda Type : A

W2009/0422 Demolition of existing public house and the erection of 13no. dwellings with associated garaging, parking, landscaping and amended vehicular/pedestrian accesses

Site of The Mallard Public House, Brookside Avenue, Brookside, Telford, Shropshire.

Recommendation Code: OLG

Ward: Brookside

APPLICANT:  
Empire Star Limited

RECEIVED ON:  
26/05/09

PARISH  
Stirchley & Brookside

WARD  
Brookside

CASE OFFICER:  
Phil Baker

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Access, Parking, Loss of community facility.

THE SITE AND THE PROPOSAL:

This application is an Outline planning application for the demolition of an existing public house and the subsequent erection of 13 dwellings on the site using the existing access into the site. All matters are reserved. The site area extends to 0.35 hectare (0.86 acre).

The application site lies on the eastern side of Brookside Avenue, on the edge of the Brookside housing estate. To the north of the application site is a public footpath that leads from Brookside Avenue to Homer Lake. There are wooded areas to the north and south of the site, and to the east of it is an expanse of grass/public open space, all of which are Green Network as designated on the Wrekin Local Plan Proposals Map.

The public house, which is thought to have been erected in the late 1970s or early 1980s, comprises a single storey and three storey brick and tiled roof building with no particular architectural quality. It sits at the back of the site, with a small outside drinking area to the rear, and a large car park at the front. The access drive off Brookside Avenue slopes down to the public house.

When the application was originally submitted it was accompanied by an Indicative Site Layout Plan. This showed a new access road into the site, which would be in a similar position to that of the current vehicular access point. The mixture of detached, semi-detached, and townhouses were shown to the south of this road, with two apartments to the north of it by the site entrance. There are two storey properties at the entrance into the site, rising to three storey at the end of the road.

Amended plans have subsequently been received. The main changes are:- (i) the substitution of the apartments for a pair of semi-detached houses with their own gardens and garages, (ii) the four townhouses at the end of the cul-de-sac have

been turned round to face onto the public open space and moved nearer the rear of the site, (iii) a pedestrian link has been made onto the public footpath to the north; and (iv) close-boarded fences have been replaced by low walls and railings, mesh fencing, and hedging.

Bus route No. 33, one of the frequent bus services in Telford, runs along Brookside Avenue up to five times an hour.

#### CONSULTATION RESPONSES:

5 letters of objection have been received from local residents, summarised below:

- Increase in noise and nuisance
- Increase in traffic and parking problems
- Three storey development would cause problems of overlooking and loss of privacy
- Loss of views
- Loss of a community facility
- The public house is well used by local people
- There are better house-building sites available in Telford

The Parish Council has raised no objections but is concerned about the affordability of the proposed houses.

The Council's Geotechnical Engineer has no objections, subject to a condition relating to contaminated land.

The Council's Drainage Engineer has no objections, subject to conditions relating to:

- (a) porous paving on all hardstanding areas
- (b) flood control measures
- (c) reductions in surface water run-off
- (d) full details of foul and surface water drainage.

The Council's Highways Engineer has no objections to the proposed development, subject to:

- (1) a financial contribution of £10,000 to relocate a bus stop and bus shelter which are currently located within the visibility splay of the proposed access point, and associated pavement/highway works
- (2) conditions relating to access, parking, drainage, and traffic calming measures.

The Council's Sport and Recreation Officer has requested a financial contribution of £600 per dwelling towards the provision of additional play/recreational facilities in the area.

The Council's Children and Young People Officer has requested a financial contribution of £24,972.17p towards the provision of additional primary educational facilities in the area.

A Protected Species Survey has been submitted, and the Council's Ecologist is satisfied that there are no protected birds or bats within the existing building.

#### PLANNING POLICY:

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

Wrekin Local Plan  
H6 – Windfall sites in Telford and Newport  
UD2 – Design Criteria

LDF Core Strategy  
CS5 – District and Local Centres in Telford  
CS10 – Community Facilities  
CS15 – Urban Design

**PLANNING CONSIDERATIONS:**

This application site is located on the edge of an established residential area in southern Telford and is shown as 'white land' on the Wrekin Local Plan where residential development is considered acceptable.

Policy CS10 of the LDF Core Strategy states that the loss of existing buildings used for the benefit of the community will be resisted. However, the accompanying text lists those facilities that are regarded as community facilities, such as those related to health and education. Public houses are regarded as being of lesser importance, but they are still considered to form part of the fabric of a community.

The loss of an existing public house is to be regretted but in the current economic climate many public houses are finding it difficult to keep going. Indeed, many have already closed in the Telford area, and some have been redeveloped for residential purposes. The applicants have stated that the premises need substantial investment to be able to successfully trade as a public house, and the viability of such investment is doubtful, particularly in the current climate.

Although The Mallard is the only public house in this part of Brookside there are several other similar establishments within a mile of this site which would mitigate and alleviate the loss of this facility. The nearest public houses are in Bridgnorth Road in Tweedale, Aqueduct Road in Brookside, Stirchley Road in Stirchley, and at the Randlay Local Centre. Therefore, on balance, your officers consider that on this occasion the loss of a public house on this site can be accepted.

It is considered that the site is capable of accommodating 13 dwellings, at a density of about 40 dwellings per hectare, which is felt to be acceptable in this location and accords with Government advice in PPS3 where 30 dwellings to the hectare is considered to be the national indicative minimum. The density of the scheme lies between the denser development of terraced houses on the west side of Brookside Avenue and the spacious detached houses in Tadorna Drive to the north east of the site. There is no definitive street character in the surrounding area, and the proposed form of development is long and narrow, with a small street frontage.

With appropriate designs and suitable materials it is believed that the proposed development will enhance the character and appearance of the site – which is currently dominated by a huge expanse of concrete and tarmac – and the surrounding area. There is a good variety of detached, semi-detached, and townhouses, and a mixture of two and three storey development.

It is considered that the proposed development is acceptable and your officers are satisfied that the Indicative Layout Plan that has now been submitted can form the basis for the submission of reserved matters. Details such as the heights and positions of fences, walls, and railings can be negotiated at the reserved matters stage.

The proposed siting of the houses within the application site, coupled with the presence of the existing areas of woodland around it, will adequately ensure that there will be no problems of overlooking and loss of privacy for any existing dwellings in the vicinity of the site.

**RECOMMENDATION:** Subject to the applicants entering into a Section 106 Agreement relating to financial contributions of (a) £600 per dwelling towards recreational facilities, (b) £10,000 to relocate a bus stop and shelter, and associated pavement/highway works, and (c) £24,972.17p towards primary educational facilities, then delegate to the Head of Planning to GRANT OUTLINE PERMISSION subject to the following conditions:

1. A8 – Standard outline
2. A2 – Submission of reserved matters
3. B10 – Standard outline
4. B11 – General details required
5. B44a – Contaminated land
6. B50 – Foul and surface water
7. Drainage – porous paving
8. Drainage – flood control measures
9. Drainage – surface water run-off rates
10. Highways – access, drainage, road, and pavement details
11. Highways – traffic calming measures
12. C86 – Car parking
13. B33 – Materials storage/personnel parking
14. B34 – Mud on road
15. B23 – Landscape design
16. C80 – Landscape implementation
17. D125 – Removal of permitted development rights
18. Development to be in accordance with Indicative Layout Plan

**REASONS FOR APPROVAL:**

The site is shown as 'white land' on the Wrekin Local Plan and lies on the edge of an established residential area within the built-up urban area of Telford.

Although The Mallard is the only public house in this part of Brookside there are several other similar establishments within a mile of this site which would mitigate and alleviate the loss of this facility.

The site is capable of accommodating 13 dwellings, at a density of about 40 dwellings per hectare, which is acceptable in this location. With appropriate designs and suitable materials it is believed that the proposed development will enhance the character and appearance of the site and the surrounding area.

The proposed siting of the houses within the application site, coupled with the presence of the existing areas of woodland around it, will adequately ensure that there will be no problems of overlooking and loss of privacy for any of the existing dwellings in the vicinity of the site.

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Notes

Agenda Type : A

W2009/0505 Demolition of rear annexes to Edgbaston House to provide a re configured pedestrian way  
Wellington Civic&Leisure Centre, Larkin Way, Wellington, Telford, Shropshire.  
Recommendation Code: CAG  
Ward: Haygate

APPLICANT:  
Telford & Wrekin Council

RECEIVED ON:  
25/06/09

PARISH  
Wellington

WARD  
Haygate

CASE OFFICER:  
Valerie Hulme

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Impact on proposed civic centre development, loss of commercial floor space, impact on Wellington Conservation Area.

THE PROPOSAL:

This is a Council application which is being considered parallel to the proposed Civic Centre development. This application seeks Conservation Area consent for the demolition of two storey and single storey rear extensions to Edgbaston House, and 11 Walker Street. The proposal also seeks consent for the demolition of the single storey building, 9 Walker Street.

SITE & SURROUNDINGS:

9 Walker Street sits on the corner of Walker Street as the road bears south providing a service road to the rear of the Leisure Centre. The building is a single storey, flat roof 20<sup>th</sup> Century retail unit, which is currently vacant.

No 11 Walker Street sits to the west. This building is a two storey office unit, that includes two and single storey rear apex additions which protrude to the south. Edgbaston House adjoins this building to the west. This introduces a three storey front elevation to Walker Street, introducing the taller ridge line for the group of adjoining terraces. Records indicate 11 Walker Street was erected in the latter part of the 18<sup>th</sup> Century. Historic mapping appears to integrate the building with the adjacent Edgbaston House, forming a continuous rectangular building line. However despite the clear dividing line between the building and Edgbaston House, this two storey building is not tied into the eastern section of Edgbaston House and therefore constitutes a separate building, functionality and date however is unknown.

Records indicate Edgbaston House is circa 1790, which is Regency style in form. The additions to the rear predate the publication of the 1831 plan of Wellington. Edgbaston House has previously been used as an inn in the 19<sup>th</sup> Century. Additions to the rear of Edgbaston house occurred in the latter part of the 20<sup>th</sup> century, with the provision of a single storey flat roof extension to the eastern section of the rear elevation, (aprox 1970). This building phase extends to the neighbouring terraces including 11 Walker Street.

The existing library adjoins Edgbaston House to the east, providing a covered walk way Larkin Way at ground floor, between Walker Street and the leisure centre to the south.

These three buildings are located on the southern border of the conservation area.

**HISTORY:**

No relevant planning history.

**PLANNING POLICY CONTEXT:**

Saved Wrekin Local Plan Policies 1995-2006

HE2 Demolition in Conservation Areas

HE4 Detailed applications

**Core Strategy 2007:**

CS14 Cultural, Historic and Built Environment

**National Planning Policies:**

PPG15 Planning and the Historic Environment

**CONSULTATION RESPONSES:**

The Council's Conservation Officer has been involved with the proposal prior to application. With regard to those elements outlined for demolition, the Officer originally raised concerns with regard to the works at Edgbaston House and No 11 Walker Street; these buildings are now to be retained with only partial demolition, removing the unattractive 20<sup>th</sup> Century buildings located on the corner and to the rear of Edgbaston House. The Officer has now raised no objection to the development, however does have concerns with regard to the remaining finishes of the buildings which are subject to partial demolition, and subsequently requests conditions to ensure that this is appropriately removed and restored. With regard to the intention to provide a pedestrian link through part of Edgbaston House so that pedestrians then face the market hall, the Conservation Officer considered there is a lack of need for this and agree with the Archaeological report that historic settlements rarely have straight routes but rather dog leg around the buildings; it is therefore not considered that the scheme will fail if the link is not implemented. However if this link is implemented there is historic evidence which suggests this should be in the form of a ground floor covered archway from Walker Street to the rear yard. This should be investigated further by more a detailed building survey which will then determine whether the walkway can be reinstated which will be the obvious preference rather than create a totally new opening through existing buildings. Further details of how this will be altered and finishes will be required through condition.

Shropshire Council's Historic Environment Officer raises no objections to the development subject to a condition relating to programme for archaeological work.

English Heritage state in principle they support the aims of the development and welcome the retention of buildings within the Conservation Area. "However the height and bulk of the new buildings will impact quite significantly on the character and appearance of the conservation area in views from Walker Street." They

consider the architecture appears bland and to pays little regard to the high level of distinctiveness that characterises Wellington as a settlement; they subsequently request these comments to be addressed. The applicant has since made some minor amendments to the scheme having liaised directly with English Heritage and provided further correspondence which states English Heritage are now satisfied with the design. Confirmation from English Heritage on these comments is awaited.

Wellington Town Council considers the application to be “an excellent proposal with which they are very pleased”.

Numerous site notices around the site and within the Leisure Centre have been displayed; in addition 52 direct neighbour notifications have been dispatched in July. To date no neighbour correspondence has been received.

#### PLANNING CONSIDERATIONS:

The majority of the application site is indicated as ‘white land’ within the Wrekin local Plan and as such has no formal allocation. However the northern section, which lies adjacent to Walker Street, is located within the Wellington Conservation Area. Subsequently the proposed demolition works to 9 and 11 Walker Street and Edgbaston House requires planning consent.

Policy CS14 sets out the Council’s objectives for development involving Conservation Areas. This states the aim of the policy is to protect and enhance the Boroughs existing unique build and cultural assets and to deliver new development to support a rich cultural fabric. This includes protecting and enhancing the historic environment, cultural and built heritage to maintain and improve quality of life.

Further guidance is found under saved policy HE2, Demolition in Conservation Areas. This states that those buildings, structures and features which contribute positively to the character and appearance of the Conservation Area will not be permitted. It also states that demolition will only be acceptable where it can be demonstrated that the character or appearance of the Conservation Area will not be adversely affected and where one or more of the following apply:

- a. It is proven to the satisfaction of the Council that the building is totally beyond economic repair and no alternative use.
- b. It is not of intrinsic architectural, historic townscape importance of that it currently detracts from the character of the area and consequently its removal would enhance the character or appearance of the area.
- c. In order to avoid derelict sites and voids, before consent for demolition is granted detailed planning permission must also have been granted for the redevelopment of the site. There must be firm evidence that a contract has been let for the development, or where appropriate a landscape improvement scheme has been produced for the site, which will enhance and reinforce the townscape qualities of the site and a contract has been left for its implementation.

The proposed works will remove late 20<sup>th</sup> Century additions which do not respect or enhance the original buildings, the street scene or the Conservation Area. The works will enhance the existing units by reinstating the buildings to their former glory as such the proposed works will preserve and enhance the architectural and historic

merits of the Edgbaston House and 11 Walker Street. Consequently the principle of the proposed demolition works is considered acceptable.

The proposed works will also aid the regeneration of the Civic Quarter, allowing a new pathway into the centre to be created, forming a safer and overlooked environment.

The remaining buildings currently have no end user, however the Council has aspirations to let these for offices, and possibly a cultural based used. However this is dependant on the market. Furthermore it is also unknown what will be discovered following the removal of the extensions, and how these elevations will be reinstated. As this is a Council application, it is considered that this can be appropriately conditioned to ensure that full finial details are submitted to and approved by the local planning authority.

In conclusion, subject to the approval of the full planning application W2009/0515 for the civic extensions, the proposal will meet part b and c of the policy HE2 of the WLP, and the principles within policy CS14 of the Core Strategy. Consequently the proposal is recommended for approval subject to conditions. As this is a council application, within a conservation area, any approval must be referred to the Secretary of State as required by paragraph 4.25 of PPG15.

**RECOMMENDATION:** Grant delegated authority to the Head of Planning then refer to Secretary of State under Circular 01/01 and PPG15 to grant CONSERVATION AREA CONSENT subject to the following conditions:

1. A4 - Conservation area consent
2. non standard - Salvage existing bricks where appropriate, any new require sample materials
3. B17 - sample brick panel
4. non standard - details of works (doors, windows, roof structure etc)
5. B62 - Protection of existing historic buildings
6. non standard - protection of features
7. non standard - contract for redevelopment required
8. non standard - any damaged caused shall be made good

**REASONS FOR APPROVAL:**

The proposed works will remove late 20<sup>th</sup> Century additions which do not respect or enhance the original buildings, the street scene or the Conservation Area. The works will enhance the existing units by reinstating the buildings to their former glory as such the proposed works will preserve and enhance the architectural and historic merits of the Edgbaston House and 11 Walker Street. The proposal will also allow the implementation of the Civic Quarter regeneration scheme, further preserving and enhancing the quality of the Conservation Area. The proposal will not have an adverse effect on the surrounding amenities of any residential or commercial users.

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Notes

Agenda Type : A

W2009/0515 Proposed extension to an existing Civic & Leisure Centre to incorporate a new library, new registry office, new entrance and cafeteria to the ground floor and new first and second floor offices  
Wellington Civic & Leisure Centre, Larkin Way, Wellington, Telford, Shropshire.  
Recommendation Code: FG  
Ward: Haygate

APPLICANT:  
Telford & Wrekin Council

RECEIVED ON:  
29/06/09

PARISH  
Wellington

WARD  
Haygate

CASE OFFICER:  
Valerie Hulme

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Impact on the vitality of the Town Centre, quality of environment by virtue of the proposed scale, mass, design, impact on the setting of the adjacent conservation area, and highway safety.

THE PROPOSAL:

This is a Council application which seeks planning consent for a large extension comprising of one, two and three storeys, to the existing Civic & Leisure Centre. In addition to the existing leisure and civic facilities the proposal will provide a new library, registry office, main entrance and cafeteria to the ground floor and offices to first and second floors.

The proposed development seeks to extend the Civic service provision within Wellington Town centre, relocating existing services which are scattered around Wellington both inside and outside of the ring road, to provide Civic services under one roof. The seven properties being considered for relocation are Strickland House, the Registry Office, Ringway House, Wrekin Farmers, The Mount, 62 Wrekin Road, and Highfield House.

The principles driving this development are to:

- Transform how library services are planned, delivered and developed for the whole community
- Providing one point of contact for a range of cultural and learning facilities, creating a flexible and cost efficient facility.
- Rationalising Council Accommodation
- Providing urban improvements, regenerating the Civic area of Wellington.
- And providing better connections to the retail area by removing Larkin Way.

The project is funded substantially by Borough of New Towns Initiative, Central Government and partly by the sale of building assets resulting from the relocation and rationalisation of Council office space, and by capital funds made available to improve the sports and recreational services to the public.

The applicants consider that this development will drive forward further regeneration of Wellington Town Centre as one of the major towns in the district suffering from substantial decline over a number of years.

#### SITE & SURROUNDINGS:

The site is located to the south of the town centre, within the ring road. The site as existing comprises of the main leisure centre building which has a variety of characters located to the east of the site; a disused toilet and two car parks to the west and south west of the site. The site also includes No 9 & 11 Walker Street, Edgbaston House and the adjoining Library.

9 Walker Street sits on the corner of Walker Street as the road bears south providing a service road to the rear of the Leisure Centre. The building is a single storey, flat roof 20<sup>th</sup> Century retail unit, which is currently vacant.

No 11 Walker Street sits to the west. This building is a two storey office unit, that includes two and single storey rear apex additions which protrude to the south. Edgbaston House adjoins this building to the west. This introduces a three storey front elevation to Walker Street, introducing the taller ridge line for the group of adjoining terraces. Records indicate 11 Walker Street was erected in the latter part of the 18<sup>th</sup> Century. Historic mapping appears to integrate the building with the adjacent Edgbaston House, forming a continuous rectangular building line. However despite the clear dividing line between the building and Edgbaston House, this two storey building is not tied into the eastern section of Edgbaston House and therefore constitutes a separate building, functionality and date however is unknown.

Records indicate Edgbaston House is circa 1790, which is Regency style in form. The additions to the rear predate the publication of the 1831 plan of Wellington. Edgbaston House has previously been used as an inn in the 19<sup>th</sup> Century. Additions to the rear of Edgbaston house occurred in the latter part of the 20<sup>th</sup> century, with the provision of a single storey flat roof extension to the eastern section of the rear elevation, (aprox 1970). This building phase extends to the neighbouring terraces including 11 Walker Street.

The existing library adjoins Edgbaston House to the east, providing a covered walk way Larkin Way at ground floor, between Walker Street and the leisure centre to the south.

These three buildings are located on the southern border of the conservation area.

The Library whilst indicated in the site edged red for this development is indicated as a future phase 2. As no end user has been identified for this site, no scheme has yet been developed; subsequently no plans have been submitted for this area, and a later application will be required to allow further consideration for this site.

A possible Phase 3 is annotated to the west of the site edged red on the corner of Wrekin Road and Walker Street; it is likely that this may be a retail development however again no formal plans have been developed. This site includes a garage and the old tax office which was last used as a retail unit, however this has closed this year.

To the south of the garage facing Wrekin road a row of four terrace units are situated. The rear gardens of these properties overlook the car park in the centre of the site. Facing these units on the western side of Wrekin road is the Council owned The Mount, a day hospital. A commercial unit is located to the front of this. Further south a row of residential units area located facing the car park within the proposed development site.

To the far south of the development site, a further car park is located to the south of Victoria Road. To the east Tan Bank Offices are located. To the west of the site tan bank runs parallel to the service road of Walker Street. This road includes a variety of commercial units, restaurants and takeaways, offices, a mosque, and nightclub.

#### HISTORY:

No relevant planning history.

#### PLANNING POLICY CONTEXT:

Saved Wrekin Local Plan Policies 1995-2006

NR3 Energy Use

EH7 Contaminated Land

EH8 Remedial Action on Contaminated Land

UD2 Design Criteria

UD3 Urban Design Assessments

UD4 Landscape Design

UD5 Public Art

E4 Development on unallocated employment sites in the urban area

S11 Wellington Secondary Retail Zone

T4 Development Principles

OL11 Woodlands and Trees

OL12 Open land and landscape contributions from new development

LR1 Provision of Community Facilities

HE2 Demolition in Conservation Areas

HE3 New Development in Conservation Areas

HE4 Detailed applications

#### Core Strategy 2007:

CS2 Jobs

CS3 Telford

CS5 District and Local Centres

CS8 Regeneration

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open Space

CS12 Natural Environment

CS13 Environmental Resources

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

#### National Planning Policies:

PPS1 Delivering Sustainable Development

Planning and Climate Change – Supplement to PPS1  
PPS6 Planning for Town Centres  
PPS9 Biodiversity and Geological Conservation  
PPS10 Planning for Sustainable Waste Management  
PPG13 Transport  
PPG15 Planning and the Historic Environment  
PPG16 Archaeology and Planning  
PPG17 Planning for Open Space, Sport and Recreation  
PPS22 Renewable energy  
PPS23 Planning and Pollution Control  
PPG24 Planning and Noise  
PPS25 Development & Flood Risk.

#### CONSULTATION RESPONSES:

The Council's Conservation Officer has been involved with the proposal prior to application. With regard to those elements outlined for demolition, the Officer originally raised concerns with regard to the works at Edgbaston House and No 11 Walker Street; these buildings are now to be retained with only partial demolition, removing the unattractive 20<sup>th</sup> Century buildings located on the corner and to the rear of Edgbaston House. The Officer has now raised no objection to the development, however does have concerns with regard to the remaining finishes of the buildings which are subject to partial demolition, and subsequently requests conditions to ensure that this is appropriately removed and restored. With regard to the intention to provide a pedestrian link through part of Edgbaston House so that pedestrians then face the market hall, the Conservation Officer considered there is a lack of need for this and agree with the Archaeological report that historic settlements rarely have straight routes but rather dog leg around the buildings; it is therefore not considered that the scheme will fail if the link is not implemented. However if this link is implemented there is historic evidence which suggests this should be in the form of a ground floor covered archway from Walker Street to the rear yard. This should be investigated further by more a detailed building survey which will then determine whether the walkway can be reinstated which will be the obvious preference rather than create a totally new opening through existing buildings. Further details of how this will be altered and fishes will be required through condition. With regard to the new build the Conservation Officer states "we have had some input into the design which has been largely designed on the accommodation required rather than designing a building specifically for the site adjoining a conservation area. This is reflected in the large, somewhat overpowering scale of the new build. Notwithstanding the scale of the new development, the design of the scheme now submitted is partly following consultation with the Development and Conservation Officers but also and mostly as a result of a local public participation scheme in which a more traditional as opposed to contemporary design was favoured. I personally favoured a more contemporary approach to the design of the new civic buildings which could enhance the existing street scene and believe the submission now is very much a compromise on design, limited also by economic constraints, which fails to excite or totally offend." Furthermore the Officer recognises implementation of the final buildings will need to use high quality external materials which can be appropriately conditioned.

The Council's Urban Designer has been involved with the scheme prior to submission. The officer recognises there still remain some issues with proposed scale, mass and design; subsequently careful consideration to finished details and materials should be made.

The Council's Highways Engineer originally raised concerns with regard to the with regard to means of pedestrian access through to the new Wellington Civic centre and proposed highways works; the removal of the turning head adjacent to the road narrowing to the rear of the current civic centre and the lack of an appropriate replacement facility; and the lack of coach and minibus access to the site. Subsequently amended plans have been received addressing these points. The Highways Engineer now raises no objections to the development subject to the conditions.

The Council's Ecologist has raised no objections to the development subject to an informative relating to bat protection, and a condition to follow the recommendations in the ecology report for the incorporation of native flora and tree planting combined with roosting and nesting opportunities.

The Council's Environmental Planning Officer has requested the design of the buildings to achieve at least a score of 'Very Good' on the BREEAM (Building Research Establishment Environmental Assessment Method) standards.

The Council's Arboriculturalist recognises the large tree coverage across the site. The majority are entering the 'early-mature' stage of their life cycles and as such are beginning to make a significant overall contribution to the landscape of the area. In fact, some of the trees are starting to compete with one another and/or are becoming too big for the available space of their planting positions. Tree loss associated with this development will apparently be substantial. However, all the trees are relatively young and could be replaced with advanced nursery stock as part of an appropriate landscaping scheme. Subsequently the Officer raises no objections to the proposal subject to conditions.

The Council's Scientific Officer (Contaminated Land) states the proposed development is situated over several past potentially contaminative uses, including a petrol station, garage, a brass and an iron foundry, predating our historical mapping circa 1880. The application boundary contains two 'sites of potential concern'; however subject to the appropriate conditions the officer raises no objections to the development.

The Council's Drainage Engineer has raised no objections to the development subject to a condition for the proposal to meet the requirements of the Flood Risk Assessment. Further details of how this will be achieved should be submitted prior to commencement.

The Council's Environmental Health Officer has verbally raised no objections to the proposed development.

The Council's CCTV Manager, from the Safer Communities Unit has requested a fully operating CCTV system to be connected to the existing Wellington CCTV

system, under section 17 of the Crime & Disorder Act which states a provision for the prevention of crime should be included in all new developments.

Shropshire Council's Historic Environment Officer raises no objections to the development subject to a condition relating to programme for archaeological work.

English Heritage state in principle they support the aims of the development and welcome the retention of buildings within the Conservation Area. "However the height and bulk of the new buildings will impact quite significantly on the character and appearance of the conservation area in views from Walker Street." They consider the architecture appears bland and to pay little regard to the high level of distinctiveness that characterises Wellington as a settlement; they subsequently request these comments to be addressed. The applicant has since made some minor amendments to the scheme having liaised directly with English Heritage and provided further correspondence which states English Heritage are now satisfied with the design. Confirmation from English Heritage on these comments is awaited.

Natural England has raised no objections to the proposed development.

The Fire Authority has raised no objections to the development subject to the provision of access, water supplies and sprinklers. These elements are appropriately dealt with through building control.

Wellington Town Council considers the application to be "an excellent proposal with which they are very pleased".

Numerous site notices around the site and within the Leisure Centre have been displayed; in addition 52 direct neighbour notifications have been dispatched in July. To date no neighbour correspondence has been received.

#### PLANNING CONSIDERATIONS:

##### Principle of development

The majority of the application site is indicated as 'white land' within the Wrekin local Plan and as such has no formal allocation. However the northern section, which lies adjacent to Walker Street, is located within the Wellington Conservation Area.

Policy CS10 of the Core Strategy sets out the principles for community facilities. This states the provision of new community facilities or improvements to existing community facilities to meet the needs of local residents will be supported. Furthermore new facilities should be located in central areas, with good accessibility by foot, cycle and public transport. Saved policy LR1 of the WLP provides further guidance, reinforcing the need to locate development within town and district centres, and request adequate parking; occupies previously developed land; does not have an adverse impact on the character and amenity of the local area; is not located on a site to meet essential employment growth; and satisfies environmental health, urban design and other appropriate policies.

Policy S11 provides criteria for uses within the Secondary Retail Zone of Wellington. This includes local leisure and community facilities, small scale business and service units, and café facilities. This is reinforced by Core Strategy Policies CS3 and CS5.

The proposal occupies previously developed land that is currently used as hard landscaping, public toilets, a collection of small outbuildings and car parking. Furthermore the site is located within the centre of Wellington which is highly accessible. Subsequently the principle of development in this location is considered favourably.

### Design

The Wellington Strategic Framework (WSF), 2008 commissioned by the Wellington Town Partnership sets out the general principles for regeneration within Wellington to create a coherent structure to this work. It should be noted however that this piece of work currently has no formal adoption. The WSF identifies the centre of Wellington is bounded by the ring road; within this notional boundary is a tight network of medieval and Victorian streets that link seven distinct character areas, each with its own unique history, urban form and land use patterns. The proposed development site is located in the 'Civic Quarter'. "The Civic Quarter occupies the south west corner of Wellington Centre. It is an area of mixed use but it is predominant defined by its public and civic uses which include the Town Council offices, the swimming pool and recreation centre and the town library. It has direct access off the surrounding ring road and is linked to Walker Street by a narrow unpleasant passage called Larkin Way. The northern edge of the area forms one side of Walker Street. The majority of the area is dominated by a car park and a large coach turning circle and has an open character with little relationship to the character of the rest of the Wellington centre. The area contains a variety of architectural styles including the listed Edwardian library and a pleasant terrace of Victorian properties. It also includes a dispirit number of buildings of no architectural value including the Town Council building". Furthermore in terms of scale and mass the centre is divided into two parts, using the railway as the centre line. That to the South which this segment is located within is described as being dominated by Victorian Architecture, supported by a medieval street layout, offering pedestrians a comfortable, human scaled environment, with sequential movements and views.

The WSF also recognises that there are uninspiring buildings that do not respond to the historic or natural context and offer no design innovation, being utilitarian in their approach. These buildings:

- are block like in plan, form and profile;
- do not respond to the streetscape context in terms of scale, form, height or detailed design;
- do not respond to the street pattern of their locale;
- employ large expanses of grid fenestration and materials of bland colour and texture;
- show an unsympathetic response to the town's heritage, such as the modern buildings along New Street
- do not make a visual connection with the street or engage with its activity, and do not allow pedestrian permeability

Subsequently these are design criteria which must be avoided within this proposal. The WSF also recognises that Wellington does however have a number of high quality buildings that have "significant standing both in terms of the history, aesthetic value, scale and function", representing Wellingtons affluent history.

The WSF suggests development principles for the identified segments. For the Civic quarter it suggests the following:

“The Civic quarter is defined by the way this part of Wellington should look, its uses and the way it is used. It is the focus of civic activities in Wellington. Whilst the area should develop its own defining character it is still important that the area is seen as a connected part of the activity of the town. It is also an attractor of activity ( a ‘footfall generator’) which means that it is important that links to the rest of the town are good, safe, accessible and attractive – and further, that the footfall activity along these links is harnessed and exploited. Key components in this Statement are:

- The importance of creating a new civic building which has presence i.e. It looks like a civic building appropriate to a market town
- The importance of a comprehensive scheme which creates a complete civic quarter and not a series of independent structures
- The importance of maximising the value of the area through comprehensive planning and development and providing mixed use focussed upon civic and public functions
- Making an active presence and connection with and to Walker Street
- Opening up views into the area by removing Larkin Way
- Rationalising the car parking
- Integrating and enhancing the existing library”

The Design and Access statement acknowledges this framework, however it gives no recognition to the development principles which are specific to this site, to either agree or disagree with this concept. Alternatively it appraises the site independently, and creates an alternative solution.

The proposed form of development corresponds with existing buildings to the north and west of the site, rather than adding new buildings to the south of the site adjacent to the car park entrance which the WSF suggests. The areas of car parking are largely unaltered; it is only within the centre of the site where the proposal alters the coach and bus access / parking. The proposals are divided into two phases, phase one is the civic centre extensions, in addition to material alterations to Edgbaston House and 11 Walker Street and the demolition of 9 Walker Street. Phase 2 involves alterations to the existing library. An application for phase 2 is expected at a later date when a know use and end user are identified for the site.

The proposed layout is split into 5 distinct areas, namely the Library and cafeteria which has significant glazed areas to provide natural surveillance over the proposed pedestrian way; the registry office which is situated nearest to the car park forming the widest part of the pedestrian route; the main entrance; and offices, both of first and second floors.

With regard to scale the building varies according to its point of reference. The architect has used three points within this scheme: the pedestrian way, Walker Street Junction and the service road elevation.

Adjacent to the new pedestrian route, the proposals include a number of single storey buildings, subdivided into a range of architectural treatments reflecting the

diversity of Wellington. The library and cafeteria glazed portals, between which are walls of either brickwork or render, further fenestrated with traditional stone windows. The registry office has a separate identity, using a sixteen sided low pitched roof, central lantern, gables formed on the outer circumference, and expressed in zinc cladding, using traditional arched windows.

Walker Street has a number of low key and more celebrated architecture, forming a rich streetscape. Most notably are the Edwardian library and entrance to the indoor market. Edgbaston House comprises of annexed buildings, formerly separate structures ranging from the Medieval through to Georgian periods. Early proposal were to remove the medieval structures to enable a direct connection with the indoor market, however further consideration meant that this part of the building was to be retained. The ridge heights vary along Walker Street between two and three storeys, reflecting the wider character of Wellington.

The proposal attempts to acknowledge the surrounding Conservation Area frontage. The three storey element reduces in scale as it reaches the corner of Walker Street, creating a two storey pitched roof structure that reflects the adjacent Victorian buildings which are located on Walker Street.; whilst a traditional roof, this element is complemented by contemporary fenestration as two gables, fitted together with a glazed infill.

Abutting the service road, there are four gable apexes, receding to reflect the pavement alignment, reinforces the open trussed roof structure within. Form and materials are traditionally proportioned and take some reference to the facing Williams and Lamb building. The scale of this building is unreservedly three storeys.

The proposal includes a number of large windows, maximising daylight, than is otherwise typical of Walker Street. The proposal uses references from the dominant Williams and Lamb building and adopts similar fenestration to the proposal service road elevation. Other parts of the building differ in character to give the appearance of a building broken down into separate structures, attempting to create the illusion of a building which has incrementally grown. This approach is continued through fenestration, where there is a variety of masonry square and arched windows, creating a varied street scene, rather than a bland monotonous building. This variety and detail aims to respect and reinforce the existing grain of architecture of Walker Street and the wider Conservation Area.

Single storey buildings abut the pedestrian way, creating a human scaled buildings rather than an obtrusive 3 storey building to the back of this pathway. Furthermore the expansive areas of glazing and openings provide activity and natural surveillance to this route. Consequently the proposed design is considered adequate meeting the guidelines of UD2, UD3, HE3 and HE4 of the WLP, and ,CS14, CS15 of the Core Strategy .

#### Access and Parking

The proposed development will comprise of 3284sqm of mixed commercial use. A transport assessment has been submitted with the application, and includes trip rate modelling. The results of the VISSIM modelling suggest that the existing local road network adequately copes with peak-hour traffic without excessive queuing and

delays. The additional traffic associated with the Civic Centre development and growing of the traffic flows to 2020 does not significantly impact on the network. Most of the predicted congestion at the junctions of Vineyard Road/King Street and Haygate Road/Bridge Road arises from expected background traffic growth. Some enhancement of these junctions (e.g. traffic signals) will therefore be necessary regardless of whether the Civic Centre development takes place. It should be noted that signal timings were not altered in the model to accommodate the increase in traffic and it is expected that optimisation of the signal timings within the model would bring down queue lengths. Furthermore car parking surveys were undertaken in April 2009, this concluded that during peak hours, between the hours of 10:00 to 12:00 hours were the busiest, with a total of 31 being used. The site is accommodates 129 car parking spaces, including 4 disabled spaces and is consequently able to adequately accommodate additional parking requirements of the Civic Centre. The proposal also recommends following agreement with T&WC that after a 'settling in period' a review of the parking provision for staff and visitors using the Civic Centre will take place with a view to formulate an alternative strategy if required.

With regard to coaches and busses, the applicants have confirmed that schools do not use the facility, instead utilising educational swimming facilities base at Shortwood Primary School and there is no anticipated need to accommodate future coach parking to accommodate a large group of school children. Smaller groups however use the site but arrive via mini bus vehicles. Subsequently the applicants consider that the bus pull in area on Victoria Road would be adequate to accommodate bus parties. This is considered acceptable by the highways engineer, meeting the principles of policy T4 of the WLP and CS9 of the Core Strategy.

#### Landscape and ecology

Both an ecology assessment and arboricultural assessment have been submitted with the application. The ecology report concludes there is no evidence for bats using Edgbaston House at present, however there area possible access and egress points. There is no further ecological impact to the surrounding development site. The report subsequently recommends the erection of bat and bird boxes into the development to support and enhance the conservation status of the local bat and bird population.

The arboricultural report identifies 27 individual trees on the site, which have moderate visual amenity. The report concludes that as some of the trees are relatively young they should accommodate changes in environment easily. Significant consideration is needs to the roots and the designs of surface treatments should be sympathetic to the rooting environment of any trees. The arboricultural officer considers the majority of trees are entering the 'early-mature' stage of their life cycles and as such are beginning to make a significant overall contribution to the landscape of the area. In fact, some of the trees are starting to compete with one another and/or are becoming too big for the available space of their planting positions. Whilst tree loss will be substantial, these are young trees and could easily be replaced with advanced nurse stock though appropriate landscaping scheme. This should include some offsite landscaping as there are insufficient planting positions available within the site. This can be appropriate conditioned.

Consequently the proposal compiles with UD4, OL11, OL12 of the Wrekin Local Plan and CS11, CS12 of the Core Strategy.

Contamination, drainage, and energy efficiency

The site has previously been used for a number of uses, including a brass and iron foundry, and garages on and adjacent to the site, all causing potential sources of contamination on the site. The Council hold records of two site investigations on the site from 1978 and 1991. Taking account of this information in addition to past and present uses, it is concluded that the site is suitable for development subject to the appropriate ground investigations and any necessary remediation work, which can be appropriately conditioned.

With regard to drainage the flood risk assessment concludes there are no known watercourses crossing or adjacent to the site, nor is the site within or adjacent to any floodplain, however there is a high groundwater table. Subsequently the FRA concludes that the foundations of any structures will need to include measures to protect them against percolation of groundwater, which could be achieved by a waterproof tanking system. This would not be affected by groundwater flooding. Surface water discharge will be limited to 33.37 litres per second, which is less than the existing discharge, improving the current system. This can be adequately conditioned.

The Government is placing an increasing emphasis on combating climate change, in terms of reducing emissions of greenhouse gases such as carbon dioxide, providing 'carbon sinks' to soak up some of those emissions, and mitigating the impacts of the increased temperatures and more extreme weather events that are anticipated as a result of climate change. The Government has the intention that from 2016 all new developments will be constructed to zero carbon. One of the most effective ways of securing more sustainable developments, and reducing climate change emissions, is to design buildings to achieve at least a score of 'Very Good' on the BREEAM (Building Research Establishment Environmental Assessment Method) standards. This will be a first step in moving towards zero carbon development. Subsequently the proposed development should achieve a minimum of BREEAM (Building Research Establishment Environmental Assessment Method) standards 'Very Good' with aspirations for 'Excellent'. This can be adequately conditioned.

Consequently the proposal complies with policy EH7, EH8 of the WLP and CS13 of the Core Strategy.

In conclusion the proposed community facilities and associated works are located in a sustainable location, with adequate access and parking. The proposed design whilst not exceptional is adequate and use of appropriate finishes and materials will add further distinction improving the design standard. The proposed development will not have an adverse impact on ecology or the natural environment, and will not have an adverse impact on any residential amenities. Furthermore the site can be appropriately remediated against contamination and appropriate drainage facilities provided. Accordingly the proposal complies with local and national planning policies.

RECOMMENDATION: Grant delegated authority to the Head of Planning then refer to Secretary of State under Circular 01/01 and PPG15 to GRANT PLANNING PERMISSION subject to the following conditions:

9. A3 - Full planning
10. B15 - Sample materials
11. B17 - sample brick panel
12. non standard - details of works (doors, windows, roof structure etc)
13. non standard - Landscape design, to include adequate semi mature replacement trees
14. non standard - Landscape management plan
15. non standard - before phase 1 occupied details of alterations to walker street as shown on plans to be submitted to LPA
16. non standard - before phase 2 occupied remaining details of alteration works to be submitted to LPA
17. non standard - before commencement scheme for monitoring capacity of car parks to be submitted to LPA
18. non standard - any necessary works identified submitted to LPA
19. non standard - within 6 months of occupation travel plan to be submitted to LPA
20. B33 - On site construction
21. C91 - On site construction
22. B34 - Mud on road
23. non standard - Contaminated land
24. non standard - recommendations of FRA to be carried out
25. B64 - watching brief
26. C75 - tree protection during construction
27. C77 - tree protection – services and earthworks
28. C80 - landscape implementation
29. non standard - To be at minimum Very good BREEAM rating.

#### REASONS FOR APPROVAL:

The proposed community facilities and associated works are located in a sustainable location, with adequate access and parking. The proposed design whilst not exceptional is adequate and use of appropriate finishes and materials will add further distinction improving the design standard. The proposed development will not have an adverse impact on ecology or the natural environment, and will not have an adverse impact on any residential amenities. Furthermore the site can be appropriately remediated against contamination and appropriate drainage facilities provided.

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Notes

Agenda Type : A

W2009/0533 Erection of 4no. detached bungalows and formation of new access (Outline application) \*\*\*\*\*AMENDED DESCRIPTION and AMENDED PLANS\*\*\*\*\*

Land adjacent to, Tara, Oakengates Road, Donnington, Telford, Shropshire.

Recommendation Code: OLR

Ward: Donnington

APPLICANT:

Mr & Mrs D Latham

RECEIVED ON:

05/08/09

PARISH

Lilleshall & Donnington

WARD

Donnington

CASE OFFICER:

Phil Baker

COUNCILLOR CLARE HAS REQUESTED THAT THIS APPLICATION BE CONSIDERED BY THE MEMBERS OF THE PLANS BOARD.

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Density and layout of the proposed development, and loss of Green Network.

THE SITE AND THE PROPOSAL:

This Outline planning application relates to the erection of 4 bungalows on land to the side and rear of "Tara", Oakengates Road, Donnington. This outline application includes access, but all the other matters, namely layout, scale, appearance, and landscaping, would be left to the Reserved Matters stage.

Members will recall refusing an Outline application for 5 bungalows on this site at Plans Board on 10<sup>th</sup> June 2009. This Outline application is a revised submission for 4 bungalows on a slightly larger site.

The illustrative layout submitted with the application shows two bungalows adjacent to Tara, but in tandem, and two bungalows at the rear of the site. All four proposed dwellings would face onto, and be served off, a new access drive to be created from Oakengates Road that would run along the north eastern boundary of the application site.

The application site is located within a predominantly residential area, and comprises part of the side and rear garden area belonging to "Tara", a detached bungalow. There is only a low wall along the Oakengates Road frontage, thereby making the site comparatively visible for passing traffic and pedestrians.

All the application site, apart from the proposed 5 metre wide access drive, is shown as 'white land' on the Wrekin Local Plan. The access drive, as well as the remainder of the curtilage to "Tara" to the north of the application site, lie within the Council's designated Green Network, as shown on the Wrekin Local Plan Proposals Map.

Donnington District Centre with its local shops is located half a mile to the north of the site and a regular bus service runs along Oakengates Road itself.

There is a mineshaft north east of the site within the remaining curtilage of "Tara", but this is outside the application site. The 12 metre stand-off zone from the shaft encroaches across the new access drive, but the proposed dwellings shown on the illustrated layout have been sited beyond the stand-off zone itself. There is also a 10 metre day-level stand-off zone, which precludes any development taking place within the north east corner of the application site.

#### CONSULTATION RESPONSES:

A petition has been submitted, signed by 68 people, which states that they are in agreement with the applicants building on the land adjacent to their home.

Councillor Clare states that the number of units has been reduced since the last application, and the proposal now looks very reasonable.

Lilleshall & Donnington Parish Council has no objections to the application.

The Council's Highways Engineer has no objections.

The Council's Geotechnical Engineer has no objections, subject to conditions relating to stand-off distances from both the mineshaft and the day-level on the site, and the drilling and grouting of the application site.

The Council's Environmental Health Scientific Officer has no objections, subject to a condition relating to contaminated land.

The Council's Drainage Engineer has no objections, subject to conditions relating to the disposal of foul and surface water drainage, and surface water run-off rates.

The Council's Ecological Officer has no objections, subject to an informative relating to protected species.

#### PLANNING HISTORY:

In 2003 outline planning permission (ref: W2003/1389) for residential development (where 4-8 dwellings were envisaged) was refused on the grounds of (a) the development being within the Green Network, and (b) having an adverse impact on a designated wildlife site. The subsequent appeal was dismissed on the grounds of adversely affecting the Green Network.

In 2004 outline planning permission (ref: W2004/1002) for 5 dwellings was refused on the grounds of (a) the development being within the Green Network, and (b) having an adverse impact on a designated wildlife site. The subsequent appeal was dismissed on the grounds of adversely affecting the green Network.

In 2005 outline planning permission (ref: W2005/0248) for 4 dwellings was refused on the grounds of (a) the development being within the Green Network, (b) adversely affecting a mine drainage level, (c) substandard access, and (d) over-development of the site.

These first three applications covered a larger site area than the current application and comprised the whole curtilage of "Tara" and all of the properties were on Green Network land.

In 2007 outline planning permission (ref: W2007/0963) was granted for 3 dwellings on the site. The application site was smaller than this current application and all the land was outside the Green Network area.

In 2008 planning permission (ref: W2008/1011) was refused for the treatment of a mineshaft.

In June 2009 outline planning permission (W2009/0233) for 5 dwellings was refused at Plans Board on the grounds of (a) over-development of the site which would result in a cramped form of development, and (b) part of the site being within the Green Network.

#### PLANNING CONTEXT:

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

Wrekin Local Plan

H6 - Windfall sites in Telford and Newport

UD2 – Design Criteria

OL3 – Green Network

OL4 - Development in the Green Network

EH14 – Land stability

LDF Core Strategy

CS5 – District and Local Centres in Telford

#### PLANNING CONSIDERATIONS:

The principle of residential development on part of this site has already been established by the granting of outline planning permission (ref: W2007/0963) for 3 bungalows on a smaller site area. This previously approved application for 3 dwellings showed a layout of one bungalow adjacent to “Tara”, which faced Oakengates Road, and 2 bungalows at the rear of the site. All 3 dwellings were shown accessed from a new driveway off Oakengates Road, located 5 metres closer to “Tara” than the proposed access point for this current application. Following the various planning refusals before then, officers considered that 3 dwellings was the optimum number of dwellings that could be comfortably accommodated on the site. Indeed, one of the reasons for refusal appertaining to the 2005 and June 2009 applications related to the over-development of the site.

The illustrative layout submitted with this current application shows 4 bungalows on the site. Two of the bungalows are shown adjacent to ‘Tara’, roughly on the site where there was only one bungalow before on the 2007 permission, but they are now both shown sideways-on to Oakengates Road. The other 2 bungalows are sited to the rear of the site, roughly where the two bungalows on the 2007 permission were shown, although plot 3 has been turned round to face the access road. Whilst the layout is illustrative it serves to demonstrate the likely siting of 4 dwellings and officers need to consider the likely positioning of dwellings to assess whether the site is capable of accommodating the proposed number of dwellings satisfactorily.

It is acknowledged that plots 3 and 4 are roughly in the same position as two of the dwellings shown on the 2007 permission. However, there are now two dwellings shown directly adjacent to "Tara" – plots 1 and 2 – where there was only one on the 2007 permission, and these are now sideways-on to the road. These two dwellings now have garden depths of only 8 metres, whereas the previously approved single bungalow had a garden of 15 metres length. This reduction of amenity space has resulted due to the over development of the site. Moreover, it is felt that it would be better if the dwelling directly adjacent to "Tara" faced the road in order to maintain the character of the street scene.

It is therefore considered that this proposed illustrative layout would still constitute unsatisfactory over-development of the site, resulting in a cramped form of development. It is felt that this number of dwellings, and their possible siting, would not reflect or respect the prevailing form and townscape of the locality which is characterised by most dwellings facing the road and situated within relatively spacious grounds. Previous applications for 4-5 dwellings on a larger site area have been previously refused and upheld at appeal. Officers therefore consider that although the layout is indicative the applicants are still trying to squeeze too many dwellings onto the application site, and this would have a detrimental impact on the character and appearance of the site and the surrounding area, contravening Policies H6 and UD2 of the Wrekin Local Plan.

Whilst there is no highway objection to the formation of a new access drive in this location, all of the access driveway is now shown to fall within the Council's designated Green Network, as shown on the Wrekin Local Plan. It should be noted that this application seems to have encroached further into the Green Network than the application for 5 dwellings refused in June 2009, but this has not been at the request of the Council. The Council has always attached great importance to achieving the aims of the Green Network, and planning applications have been consistently refused for development that has an adverse effect upon the Green Network, and makes no contribution to its overall function or value.

Policy OL4 of the Local Plan states that the Council will only permit development in the Green Network provided that the proposal demonstrates that (a) there are exceptional circumstances, (b) it contributes or is complementary to the aims of the Green Network, or (c) environmental and community benefits are an integral part of the proposal. It is considered that as none of these exceptions have been demonstrated in this application and hence the proposal contravenes Policy OL4 of the Wrekin Local Plan.

Both the 2003 and 2004 applications, which comprised larger site areas and included more Green Network land, were refused by the Council's Plans Board and were then subsequently dismissed at appeal. The Planning Inspectors in both cases felt that the proposed development would have been harmful to the integrity of the Green Network. The Inspector, in his 2003 refusal decision notice, stated:-

*"I consider the open nature of the site has more affinity with the land in the Green Network than the largely built up character of the remainder of the curtilage and the adjacent residential area". (paragraph 9)... "Whilst I accept that the land is not accessible to the public and it does not meet all the stated aims of the Green*

*Network, I nevertheless consider the gap in the street frontage arising from the openness of the site contributes positively in terms of the local street scene, and that it provides a relatively open vista towards the wooded area of the adjacent Wildlife Site and the wider expanse of adjacent open land. In these terms I consider that the designated part of the site forms an integral and important component of the Green Network and that it makes a positive contribution towards creating a high quality environment". (paragraph 10).*

The 2007 application that was approved for 3 dwellings was for a smaller piece of land which excluded the area of the site designated as the Green Network, but the proposal on the reduced site could still satisfactorily accommodate 3 bungalows and a new access drive, and hence this proposal was approved by the Council.

In the meantime 'saved' Policy OL4 of the Wrekin Local Plan, and the existing Green Network designations on the Local Plan, are still relevant and important material considerations in the determination of all planning applications. Although the present application would remove a strip of Green Network that would form the proposed new access driveway, this is nevertheless an encroachment into the Green Network and would serve to reduce the Green Network and open gap in the street scene between the properties 'Tara' and 'Oakleigh' that the Inspector ruled was important to the open nature of this part of the street and was an important complement to the Green Network. Whilst this current application involves the loss of less Green Network than the 2003, 2004, and 2005 applications, but slightly more than the June 2009 application, which were all previously refused, officers are concerned that the incremental erosion of the Green Network in instances like this could be repeated too often so as to undermine the extent and purpose of the Green Network in a particular area and as a whole.

The applicants consider that the land has little consequence to the Green Network. They feel it is not attractive, has no wildlife interest, and serves no Green Network function as set out in the Wrekin Local Plan. They believe the designation was an error and that the draftsman at the time took the land to be part of the public footpath that runs alongside it.

Furthermore, the applicants seem to believe the Council is now adopting a more relaxed attitude towards development taking place in the Green Network because there is no reference to the Green Network in the LDF Core Strategy Policies. In response, the Council's position has not changed, but the Council intends to carry out a Green Spaces Strategy, which will review all the Green Network land shown on the Wrekin Local Plan, with a view to recommending which pieces of land should remain in the Green Network and which pieces should be deleted. It is hoped that this review will commence early next year.

To conclude, officers consider that the site is not large enough to comfortably accommodate 4 bungalows. Two dwellings are proposed on the land directly adjacent to "Tara", where there was only one on the 2007 permission, and both are sideways-on to Oakengates Road. This contrived layout is not characteristic of the prevailing form of development in the local area with predominantly front facing dwellings. Moreover, this plot division to make two units produces plot sizes that are uncharacteristic of the immediate area.

Furthermore the proposal necessitates the encroachment into the adjacent Green Network. Officers do not consider there are exceptional reasons to allow this Green Network intrusion to warrant going against local plan policy. Planning permission has already been granted for 3 dwellings on a smaller site that did not require encroachment into the Green Network and officers consider that this is the optimum number and layout of dwellings that can be satisfactorily accommodated on the site.

RECOMMENDATION: REFUSE OUTLINE PERMISSION on the grounds of:

1. The Local Planning Authority considers that the erection of 4 bungalows constitutes over-development of the site, which would result in a cramped form of development that would not reflect or respect the prevailing form, townscape, and character of the local area and would provide inadequate amenity space to some units. Therefore, the proposed development would have a detrimental impact on the character and appearance of the site and the surrounding area, contrary to Policies H6 and UD2 of the Wrekin Local Plan.
2. Part of the application site falls within the Council's designated Green Network as shown on the Wrekin Local Plan. Policy OL4 of the Wrekin Local Plan states that the Council will only permit development in the Green Network provided that the proposed development demonstrates that (a) there are exceptional circumstances, (b) it contributes or is complementary to the aims of the Green Network, or (c) environmental and community benefits are an integral part of the proposal. The Local Planning Authority considers that none of these exceptions have been demonstrated in this application and hence the proposal in contrary to Policy OL4 of the Wrekin Local Plan.

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Notes

Agenda Type : A

W2009/0568 Erection of a two storey side and rear extension with porch to front, including dormer windows in association with loft conversion  
33, Sinclair Gardens, Ketley, Telford, Shropshire.  
Recommendation Code: FR  
Ward: Ketley & Oakengates

APPLICANT:  
Mr Matthew Highway

RECEIVED ON:  
08/07/09

PARISH  
Ketley

WARD  
Ketley & Oakengates

CASE OFFICER:  
Anna Robinson

COUNCILLOR RHODES HAS REQUESTED THAT THIS APPLICATION BE CONSIDERED BY THE MEMBERS OF THE PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and design, Character and appearance, Impact on adjoining residential amenity.

THE PROPOSAL:

The application seeks permission for the erection of a two storey side and rear extension and porch to front. The initial plans proposed the raising of the roof of the property to accommodate further bedrooms in the loft space and gable end to roof, hence removing the hipped roof design.

Following officer concerns regarding the scale and design of the development, amended plans have been submitted with the height of the roof remaining unchanged and indicating the position of neighbouring windows with regard to the Council's 45 degree Code and what would constitute permitted development on the two storey rear extension.

THE SITE AND SURROUNDINGS:

The application site comprises an existing two storey red brick and part-painted and rendered semi-detached property with hipped roof. The pair of semi's has been altered with different canopies to frontage; however the form and design of the properties and adjoining pairs of semi's is principally symmetrical, with hipped roofs and a single central chimney. A number of properties in Sinclair Gardens have two storey side extensions, but maintain the hipped roofed design and the general symmetrical form and pattern of development. The hipped nature of the semi-detached properties is a strong streetscene feature.

The property has a driveway to front and side and further informal parking of vehicle on garden frontage, with relatively long narrow garden area to rear. The dwelling has an existing upvc conservatory and garage to rear. The application site is located in an established residential area, with vehicular access to plant nursery located opposite, and wooded areas surround estate.

CONSULTATION RESPONSES:

The Council's Environmental Engineers recommend approval subject to conditions regarding shallow mineworking and landfill gas mitigation measures along with informatives relating to former minerals area, location of landfill gas and contaminated land.

The Council's Ecologist initially requested the submission of a bat survey; however the Applicant has discussed the matter with two local consultants who consider the likelihood of bats being present at the property to be extremely low. The Ecologist has resolved that a survey will now not be necessary.

Two letters of support have been submitted from neighbours at No's 32 and 34 Sinclair Gardens.

#### PLANNING HISTORY:

No history directly related to application site, but other properties in Sinclair Gardens have had two storey side extensions with hipped roofs – recent applications: W2000/0139 (No.6), W2001/0356 (17) and W2003/1209 (18)

#### POLICY CONTEXT:

Wrekin Local Plan 1995 – 2006  
UD2 Design Criteria

Core Strategy  
CS15 Urban Design

National policy guidance  
PPS1 Delivering Sustainable Development

#### PLANNING CONSIDERATIONS:

The development comprises a two storey side and rear extension which would project 2.1m at the side to the shared boundary with No.32 Sinclair Gardens and 4.1m at the rear, along the boundary with No.34. The extensions would provide ground floor accommodation comprising a large dining room at the rear and nearly 13m long garage with vehicular access points at both ends. First floor accommodation would be 3 large bedrooms, office and bathroom, with further bedroom accommodation in the roof space, resulting in the property having 5 bedrooms.

A number of other properties in Sinclair Gardens have two storey side extensions and Officers have no objection to the erection of an extension of an appropriate scale, design and form.

Amended plans have been submitted following discussions between officers and the Applicants. Officers requested a number of amendments to the scale and design of the development proposed. These included reducing the projection of the rear extension due to the adverse impact on adjoining properties (overshadowing and loss of outlook), and retaining the original height of the roof and its hipped design to the side extension to ensure that the development is in keeping with the character and appearance of the existing property, the pair of semi-detached properties and the streetscene.

With regard to planning policy, the relevant design policies at national (PPS1) and local level (UD2 and CS15) outline that development must relate positively to the context, in relation to the scale, massing, form and materials etc. PPS1 states that "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.

There is an established building form in Sinclair Gardens, with pairs of semi's having hipped roofs. This type of development comprising a large two-storey side and rear extension and gable roof rather than the existing hipped design would create an incongruous visual design element which would appear out of keeping with the character of the existing dwelling, the pair of semi's and adjoining properties, and the overall street.

Furthermore, the substantial rear projection would have a significant detrimental impact on the amenities of adjoining residential properties, in particular the adjoining semi-detached property, No.34 Sinclair Gardens. Officers assess domestic extensions with regard to the 45 degree Code guidance, which seeks to protect a reasonable area of open space outside windows of adjoining properties, and states that development should not infringe a 5 metre area from the midpoint of a neighbouring window for single storey extensions and the nearest quarter-point of a window for two storeys. The Applicants have indicated the position of adjacent windows with regard to the 45 degree Code, and the proposal would not comply with the 45 degree Code, and would have an overbearing effect and lead to a loss of outlook to principle windows only 1 metre away at ground and first floor due to the position and proximity of the two-storey element. As such, the development does not comply with requirements of policies UD2 of the Wrekin Local Plan, CS15 of the Core Strategy and PPS1.

Whilst Officers acknowledge that the Applicant would not require planning permission for a reduced two-storey rear extension (at the rear of the original dwelling only), it is considered that the significant scale of extensions to the property would be inappropriate and the development as proposed would severely reduce the outlook from windows at the neighbouring property.

**RECOMMENDATION: REFUSE PLANNING PERMISSION** for the following reasons:

1. The Local Planning Authority considers the proposal is unacceptable by reason of the scale, design and form, as the gable roof would appear as an incongruous and prominent feature and would fail to relate to the character and appearance of the property, the pair of semi's and adjoining properties in Sinclair Gardens which have hipped roofs, to the detriment of the streetscene. Accordingly, the development would be contrary to policy UD2 of the Wrekin Local Plan 1995 – 2006, Core Strategy policy CS15 and national guidance contained in PPS1.
2. The proposed extension is considered unacceptable by reason of the detrimental impact that the two storey rear projection would have on adjoining residential amenity. The development would be overbearing and lead to a

loss of outlook to the neighbouring properties, in particular No.34 Sinclair Gardens, and would not accord with the Council's 45 degree Code. The development would therefore fail to comply with Policy UD2 of the Wrekin Local Plan 1995 – 2006, Core Strategy policy CS15 and national guidance contained in PPS1.

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Notes

Agenda Type : A

W2009/0631 Erection of a materials storage building (Retrospective)  
Respol, Overley, Shropshire.  
Recommendation Code: FR  
Ward: Wrockwardine

APPLICANT:  
Mr David Clark

RECEIVED ON:  
29/07/09

PARISH  
Wrockwardine

WARD  
Wrockwardine

CASE OFFICER:  
Elizabeth Attwood

CLLR SEYMOUR HAS REQUESTED THAT THIS APPLICATION BE  
CONSIDERED BY THE MEMBERS OF THE PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Policy context, effect on the character and visual appearance of the  
area, effect on the amenities of surrounding residential properties.

HISTORY:

Originally a petrol filling station the site was granted planning permission W95/0609  
for a change of to use to industrial flooring in 1995.

A second planning application W2006/1504 for the erection of a steel framed  
storage building was approved in 2007. However, two buildings were erected despite  
there only being planning approval for one.

This application is as the result of enforcement action. Accordingly, retrospective  
planning permission is sought for the retention of a 70sq.m. steel portal framed  
storage building associated with the existing commercial flooring contractors.

THE SITE AND SURROUNDINGS:

The site is located approximately 3 miles outside Wellington on the northern side of  
the B5061. The area is designated as Open Countryside in the adopted Wrekin  
Local Plan. The site comprises of various brick built office buildings and steel framed  
plastic coated metal clad storage buildings, parking and open storage yard.

The site sits approximately 2.0m higher than the road to the rear which leads to  
Overly cottages a haulage yard and quarry. The site is bounded by 2.0m high timber  
panel fencing to the rear and walling and railings to the fore and is screened from  
the highway by the existing boundary treatment and planting.

The nearest residential dwellings are located to the rear of the site approximately  
22m to the north on the other side of the road and sit significantly lower than the  
application site.

CONSULTATION RESPONSES:

No comments have been received from Wrockwardine Parish Council.

The Council's Environmental Health Officer has no objections.

The Council's Policy Officer has no objections.

The Council's Rights of Way Officer has no objections.

Five direct neighbour notification letters and a site notice have publicised the application; one letter of objection has been received. The comments can be summarised as follows:

- The size, depth, width, height and massing are having an unacceptably adverse impact on the neighbouring properties,
- Over shadowing, loss of light, noise, visually overbearing,
- Increase in traffic and vehicle activity,
- Overdevelopment of the site in the rural area,
- Breaks the Local Development Plan,
- There is a public RoW around the site,
- No neighbour or community consultation,
- Hazardous substances could be stored in the building,
- Application is inappropriate, misleading and retrospective.

#### POLICY CONTEXT:

Wrekin Local Plan (WLP)

UD2 Design Criteria.

E6 Rural Employment General.

Local Development Framework (LDF)

No policies are considered relevant.

National guidance:

PPS1 Delivering Sustainable Development.

PPG 4 Industrial, commercial development and small firms

PPS7 Sustainable Development in Rural Areas.

#### PLANNING CONSIDERATIONS:

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

Inter alia, policy E6 states that, within the rural area employment development must be of an appropriate scale, type and design sensitive to its location and satisfy the requirements of the Urban Design, Transport, Countryside and Open Land, Environmental Health policies of the Wrekin Local Plan. It advises the Council to ensure that the environment, essential character and fabric of the Rural Area are protected from uses which would damage both the visual and functional quality of the area.

National guidance contained in PPS1: Delivering Sustainable Development asserts that, good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning. Planning authorities should plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

PPG4 states that, one of the Government's key aims is to encourage continued economic development in a way which is compatible with its stated environmental objectives. Economic growth and a high quality environment have to be pursued together. Furthermore, the planning system should operate on the basis that applications for development should be allowed, having regard to the development plan and all material considerations, unless the proposed development would cause demonstrable harm to interests of acknowledged importance.

National guidance contained in PPS7 advises that LPA's should continue to ensure that the quality and character of the wider countryside is protected.

The unauthorised building has a nil impact upon highway safety and little effect upon the visual quality of the area when viewed from the B5061 due to the existing boundary treatment, and it does not impact upon any rights of way. However, it is deemed to have an adverse impact upon the residential amenity of the occupiers of 3 and 4 Overlay Cottages to the rear and on the locality.

The scale, form, massing, appearance and siting on the higher ground results in a building which appears strident and incongruous and as such has an adverse impact upon the character and appearance of the area and a detrimental impact on the outlook from the neighbouring cottages and fails to relate positively to its context.

The Design & Access statement advises that additional landscaping and planting could screen the building however, your officers are not convinced that this would adequately conceal the building and justify its retention. Your officers acknowledges that PPG4 encourages continued economic development but in this instance considers that development plan policy UD2 and material considerations in the form of the harm done to both visual and residential amenity outweigh the desire to promote economic development.

Accordingly, it is recommended that the application is refused as it is considered contrary to 'saved' policies UD2 and E6 of the Wrekin Local Plan and national guidance found in PPS1, PPG4 and PPS7.

**RECOMMENDATION: REFUSE PLANNING PERMISSION** for the following reasons:

1. The Local Planning Authority considers that the scale, form, massing, appearance and siting on the higher ground results in a building which appears strident and incongruous and as such has an adverse impact upon the character and

appearance of the area and a detrimental impact on the outlook and residential amenity of the neighbouring cottages namely 3 and 4 Overlay and fails to relate positively to its context, subsequently the development is contrary to 'saved' policies UD2 and E6 of the Wrekin Local Plan and national guidance contained within PPS12, PPG4 and PPS7.

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Notes

Agenda Type : A

W2009/0657 Extensions to provide a classroom and family centre with alterations to existing library to form G.P and language rooms Wrekin View Primary School, North Road, Wellington, Telford, Shropshire. Recommendation Code: FG - Ward: Park

APPLICANT:  
Telford & Wrekin Council

RECEIVED ON:  
04/08/09

PARISH  
Wellington

WARD  
Park

CASE OFFICER:  
Tom Lewis

OBJECTIONS RECEIVED: No.

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

THE PROPOSAL:

The proposal consists of two extensions to the school building to provide a classroom and also a family centre. The proposal also includes alterations to the existing library to form the family centre and language rooms.

THE SITE AND SURROUNDINGS:

The school building fronts onto North Road with a large sports fields to the south and east. The school is a large flat roofed building which has recently been extended on the North Road side of the site. The property has its main car parking to the north west of the site and also a smaller car park to the south of the site. To the north of the site the dwellings on the Parklands back onto the site separated by the access route to the rear of the properties, at the north eastern corner of the site there is a large grouping of trees. The property is bounded by large green metal security fencing to a height of approximately 2.4m.

CONSULTATION RESPONSES:

Wellington Town Council has raised no objection to the proposal.

No neighbour objections have been received.

PLANNING HISTORY:

W2003/0889 – Extension, alterations, ball games area, car park, gates and alterations of access – Granted

W2004/0179 – Erection of 2.1m palisade fencing to the front and 2.4m fencing to the rear – Granted

W2008/1364 – Installation of multi use games area and surrounding fencing - Granted

POLICY CONTEXT:

In the consideration of the proposals, the following core strategy policies are considered relevant:

CS 10 – Community facilities  
CS 15 – Urban Design

Also the following Wrekin Local Plan 'Saved' policies are considered relevant:

UD2 - Design Criteria  
OL3 - Green Network  
OL5 - Extensions and redevelopment in the Green Network  
LR1 - Provision of Community Facilities

#### PLANNING CONSIDERATIONS:

The site is located within land designated as 'Green Network' within the Wrekin Local Plan. The proposal complies with policy OL4 and LR1 of the Wrekin Local Plan and CS10 of the Core Strategy for the provision of community facilities and would provide educational benefits and the site is not of important ecological, geological or archaeological importance. Therefore the development would not be of detriment to the Green Network.

The proposed extensions consist of two parts. The first element is the proposed classroom extension and alterations to the existing library. The second element is the creation of a family centre on the opposite side of the building. The proposed classroom extension will have a slight pitch to the roof and large windows on the south east elevation to match that of the existing building. The proposed building is to be sited in between an enclave of two wings of the building. The proposed classroom extensions will be completely screened from North Road at the front by the existing building and will be well screened from the properties on Parklands by the large trees and will be separated by the access road to the rear.

The proposed family centre will have a flat roof to tie with that at the rear of the existing building. The proposal has a large glassed entrance feature which will aid the brick to void ratio and improve the appearance of the building. The proposed family centre will be approximately 60m away from any of the neighbouring properties.

As both elements of the development are relatively modestly sized proposals at the rear of the building, neither will dominate the building or the surrounding area. Also the proposals are of a similar character and appearance to the existing building and therefore will not be of detriment to the character and appearance of the building or the general area. The proposed development will therefore comply with policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

In conclusion the proposed the proposed use supports the existing school and as such complies with policies CS10 of the Core Strategy and LR1 of the Wrekin Local Plan and will not have an adverse impact on the designation area Green Network or the surrounding environment in accordance with policies UD2, OL3 and OL5 of the Wrekin Local Plan and CS15 of the Core Strategy.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Full with no reserved matters
2. C68 - Materials to match that of existing building
3. Informative - Conditions
4. Informative - Reasons for granting planning permission

REASONS FOR APPROVAL:

The proposal would not adversely impact on neighboring properties amenities with regards to overlooking or overshadowing. The scale and design of the proposed play extension will not have a detrimental impact on the visual amenities of the area and will provide key community and educational facilities.

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Notes

Agenda Type : A

W2009/0668 Erection of a silo and a 5.7m high screen (retrospective)  
Aqueduct County Primary School, Castlefields Way, Aqueduct, Telford, Shropshire.  
Recommendation Code: FG  
Ward: Dawley Magna

APPLICANT:  
Telford & Wrekin Council

RECEIVED ON:  
10/08/09

PARISH  
Dawley Hamlets

WARD  
Dawley Magna

CASE OFFICER:  
Elizabeth Attwood

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Design and appearance, visual impact.

THE PROPOSAL:

This is a Council application which seeks retrospective permission for the erection of a silo and 5.7 high screen.

THE SITE AND SURROUNDINGS:

Aqueduct County Primary School is a modern building of brown/buff brick construction, with pitched and flat-roofed elements. The building is located to the south of the site with the school playing field positioned to the north. Castlefield's Way runs north-south to the east of the application site with a pedestrian link through the site to the front of the building. Vehicle access to the site is located to the south from Eleanors Close. Planning permission for the erection of a single storey extension to provide two additional classrooms, toilets and store was approved earlier this year (W2009/0317).

Aqueduct centre comprises a surgery and community centre and is located to the west of the school building; the area is predominantly residential.

CONSULTATION RESPONSES:

No adverse comments have been received from the Council's Geotechnical Engineer.

No comments have been received from Dawley Town Council.

There have been no responses from local residents.

PLANNING HISTORY:

Numerous applications, the most recent ones are:

W2005/0045 – Erection of single storey staffroom and office extension – granted.

W2007/0720 erection of a canopy - granted.

W2009/0317 erection of a single storey extension –granted.

POLICY CONTEXT:

In the consideration of the proposals, the following policies are considered relevant:

National guidance:  
PPS1 Delivering Sustainable Development

Core Strategy:  
CS15 Urban Design.

Wrekin Local Plan:  
UD2 Design Criteria

#### PLANNING CONSIDERATIONS:

National guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness. High quality design should add to the overall character and quality of an area, not just for a short time but over the lifetime of the development.

Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

Moreover, policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

The heating system for the school has been replaced with one which uses wood pellets as fuel; the new system requires the erection of a large Silo to store the pellets which will be screened with timber shiplap fencing.

This is a retrospective application as the silo was erected before planning permission was granted; the agent has advised that once it was decided a wood chip boiler would be installed, a storage vessel (silo) was necessary, and the manufacture and delivery of the silo was stated as 12 weeks minimum. Therefore a 'Letter of Intent' was required to demonstrate commitment to the scheme.

The silo was to be delivered to site by specialist transport, and erected in its final position immediately following unloading. Due to H&S implications regarding the location of the silo, it was deemed this should be carried out during the school holiday period when staff and children were not present.

The silo needed to be in position so that all associated connections to the boiler could be made to enable the silo to be filled with wood chip, to allow the boiler to be commissioned ready for the heating season, and failure to complete this work on time may have led to the school having to close until completion was achieved.

The principle of the development is deemed acceptable and the silo is not visible from Castlefields Way due to the existing tree planting and vegetation. However, it is highly visible from Eleanors Close when approaching the front of the school and

therefore the proposal includes shiplap board screening. Nevertheless, given the prominent positioning and lack of soft landscaping it is considered necessary to impose a condition in relation to the finish of the screen fence to ensure that the development does not appear as an incongruous addition to the school and strident within the streetscene.

There will be no impact upon residential amenity, parking provision or play facilities.

Accordingly, it is considered that the development is compliant with both local and national guidance and therefore recommended for approval with conditions.

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

1. A3
2. C118 - Compliance with approved plans.
3. Finish of screen fencing to be submitted.
3. SIE22 - Informative - Conditions.
4. SIE26 - Informative - Reasons for the grant of planning permission.

REASONS FOR APPROVAL:

The proposed development is considered to be acceptable, and providing the screening is finished in a suitable colour, will have no adverse impact upon on the character and appearance of the building or the surrounding area. There will be no impact upon the school playing fields, parking or residential amenity.

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Notes

## Agenda Type : A

W2009/0670 Re-location of 2no. demountable buildings  
Newport Girls High School, Wellington Road, Newport, Shropshire.  
Recommendation Code: FG  
Ward: Newport West

APPLICANT:  
Telford & Wrekin Council

RECEIVED ON:  
06/08/09

PARISH  
Newport

WARD  
Newport West

CASE OFFICER:  
Anna Robinson

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Siting, Impact on residential amenity.

**THE PROPOSAL:**

The application seeks planning permission for the relocation of 2no. existing demountables measuring 9.2m by 8.3m and 3.2m in height, to the northern edge of the school field at the rear of the Newport Girls High School, for a temporary period of 12 months. The intention is to then remove the demountables and accommodate the current teaching facilities within a future extension to the school. Amended plans have been requested to swap the use of the demountables, moving the music room further from the boundary with residential properties.

**THE SITE AND SURROUNDINGS:**

Newport Girls High School is located on Wellington Road, a main approach road into Newport, in a predominantly residential area, with a large modern estate to the north, and west boundaries, and further residential development to the east beyond Wellington Road, with Moorfield Primary School to the south. The school site is partly screened by trees, hedging and timber fencing. The nearest residential property, No.24 Wenlock Drive (bungalow) has windows on the side elevation facing the school and is located approximately 1.5m from the boundary of the school.

The application site comprises a traditional school building which has been extended to the rear, with car parking to front and playing fields to rear. There are 4 demountable buildings located at the rear of the main school building. These comprise a large rectangular and an 'L' shaped building used for sixth form room and humanities classes, and two smaller demountables providing accommodation for music and foreign languages classes.

It is the two smaller demountables that would be relocated from their current position at the southern end of the school site to new temporary positions adjacent to the larger demountables. The new positions of the buildings would be at the edge of the existing school field. Building A would be positioned to the south of the rectangular demountable, and Building B would be directly west of the 'L' shaped demountable and north of a storage shed. The demountables are constructed in vertical cedar cladding and felt pitched roof, with access steps and balustrading to front and side elevations and located on concrete foundations.

#### CONSULTATION RESPONSES:

The Fire Authority advises that it will be necessary to provide adequate access for emergency fire vehicles at the site.

One letter of objection has been received from a resident in Wenlock Drive, summarised below:

- Proximity of music room to residential property
- Level of noise from music room. Possible use outside normal school hours, such as band practice
- Query re: how temporary the classrooms will be, as other similar demountable structures have been in situ for more than 2 years

#### PLANNING HISTORY:

W2005/0535 Erection of an extension to provide a classroom, science prep room and computer technician room, granted

W2003/0082 Erection of 5no classrooms, canteen, stores and toilets to rear elevation, granted

W83/0665 Retention of three existing demountable buildings erection of new single demountable buildings and extensions to form additional science facilities, County no objections

#### POLICY CONTEXT:

Core Strategy Policy

CS10 Community Facilities

CS15 Urban Design

Wrekin Local Plan

UD2 Urban Design Criteria

#### PLANNING CONSIDERATIONS:

The proposal comprises the relocation of the demountables used as foreign languages and music classrooms. The Agent advises that the repositioning of the demountables is required to clear the area directly to the rear of the main school building in preparation for a future extension (not yet submitted to the Local Planning Authority). This will provide permanent accommodation for music and foreign languages currently located in the demountables, along with a food technology room. Therefore the demountables will be removed from the site, which is intended to be at the end of August 2010. As no formal application for an extension has yet been submitted, officers consider the temporary relocation of the two demountable classrooms should be permitted for a maximum of 2 years.

The relocation of the demountables adjacent to the existing larger structures, storage shed and footpaths will not lead to a significant incursion on to the area of playing field. The structures remain located at the rear of the site and will be screened by existing buildings; therefore they will not appear overly prominent. Existing hedge and fence screening along the site boundary will help to screen the demountables from the nearby residential properties on Wenlock Drive and Wrekin Avenue who will be nearest.

The proposed position of the music classroom (Building B) would bring it within 12 metres of the boundary of the school site and closer to residential properties in Wenlock Drive and Wrekin Avenue. Whilst the use of buildings for particular subjects cannot be controlled by Planning as it is a function of school organisation, officers have requested that the plans are amended and the use of the two demountables swapped over so that the music room is located further from the site boundary thus minimising potential noise and disturbance to adjoining dwellings. Any amendments will be presented in an update to Members at Plans Board.

**RECOMMENDATION: GRANT PLANNING PERMISSION** subject to submission of amended plans and the following conditions:

1. A5 - Temporary permission for 2 years

**REASON FOR APPROVAL:**

The proposal will relocate two existing demountables within the school site and will not alter the character and appearance of the area. The development will not have a significant impact on amenity of nearby residential properties.

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Notes

Agenda Type : A

W2009/0671 Erection of a detached three storey dwelling and associated access  
Land adjacent, Brewery Cottage, High Street, Coalport, Telford, Shropshire.  
Recommendation Code: FR  
Ward: Ironbridge Gorge

APPLICANT:  
Mr John David

RECEIVED ON:  
12/08/09

PARISH  
The Gorge

WARD  
Ironbridge Gorge

CASE OFFICER:  
Elizabeth Attwood

THIS APPLICATION IS TO BE DETERMINED BY PLANS BOARD AS MEMBERS APPROVED A STOP NOTICE/ENFORCEMENT NOTICE WHICH WERE SERVED ON 1<sup>st</sup> May 2009 FOR THE REASONS OUTLINED BELOW:

INTRODUCTION

MAIN ISSUES:

The main issue in relation to the site was the erection of dwelling which did not benefit from planning approval

RELEVANT PLANNING HISTORY:

1. W2000/0733 & 0734 – Erection of a two bedroom detached dwelling, full planning and listed building consent; the application was refused on the basis that the proposal was not in keeping with the street scene and detrimental to the setting of Brewery Cottage which is a Grade II listed building

An appeal was submitted to the Inspectorate, but later withdrawn.

2. W2001/0471 & 0472 – Erection of a two bedroom detached dwelling, full planning and listed building consent; approved on 3<sup>rd</sup> August 2001.

The approved scheme was a two storey dwelling, measuring 9m in length, 5m in depth and 6.35m to the ridge. The proposal was also set 0.6m below the level of the highway. And the proposed roof was set at a 35 degree pitch.

3. W2002/1090 – Erection of a detached dwelling with balcony, 0.9m high brick boundary wall and new vehicular access; approved on 3<sup>rd</sup> June 2003 (NB decision notice states 3/6/02, should read 3/6/03).

The approved scheme was based on a similar footprint, increasing the width by 1.1m to 10.1m, and the depth by 1.2m to 6.2m. In addition a fully enclosed basement level was also included which measured 8.2m in depth and ran the width of the building. This would only be visible from the patio level of the ground floor, providing access by way of an external spiral staircase, which again was fully enclosed at the sides.

The height of the dwelling had been increased to 8m; however the dwelling was still set 0.5m below the level of the ground at ground floor level.

The roof pitch approved was set at a 40 degree angle. The proposal included ornate balconies at ground and first floor, directly over the enclosed basement protruding 2m from the rear elevation. The proposal included brick headers and stone cills. A side door and window were approved on the west elevation and an inglenook chimney on the east elevation. Two proposed ground floor rear elevations were approved, one scheme includes a central window with doors either side, and the alternative scheme has a central door with windows either side. This is illustrated with a dashed line on the rear elevation and on the floor plans.

4. W2007/1581 – Renewal of planning permission W2002/1090 for the erection of a detached dwelling with balcony, 0.9m high brick boundary wall and construction of a new vehicular access. Approved 14<sup>th</sup> January 2008.

**PLANNING ISSUES:**

In February 2008 plans were received from the applicant to requesting a minor amendment; this reduced the level of the roof and installed dormer windows on the front elevation. This was not considered a minor amendment as this completely altered the character of the dwelling.

In May 2008 the applicant requested a minor amendment for the repositioning of the inglenook chimney on the east elevation to be on the west elevation, and the side door and window on the approved east elevation to be installed on the west elevation. It is also noted the applicant states “I confirm I will be implementing the original already approved scheme” bar these latest two amendments requested on this email. Difficulty was experienced by officers, as the applicant faxed sketches rather than plans which he had tippexed and re drawn; as these were faxed, any scaling is altered. These were finally approved on 22<sup>nd</sup> August 2008.

In September the applicant requested during the construction of the dwelling, if there were further minor amendments, that these were treated as “work in progress changes”. Officers confirmed that if the applicant did not wish to build the dwelling he had consent for a new application would be required.

On the 8<sup>th</sup> September the applicant requested the use of curved brick arches over windows, and a third window in the first floor east elevation. These drawings included “hand rubbed stone” window cills. This was not considered acceptable as the flat arch was considered more appropriate for the design of the house proposed. On the 10<sup>th</sup> October it was noted a wooden garage building had been erected on the site without planning consent. This was erected for use during construction of the new build dwelling; however to erect this in connection with the house build, the conditions must legal be discharged. The applicant was advised, and submitted the final information relating to conditions on 11<sup>th</sup> November 2008.

Building regulations have confirmed that the development commenced on the 16<sup>th</sup> December 2008.

On 22<sup>nd</sup> January 2009 all conditions bar condition 10 were discharged. This relates to landfill gas mitigation measures. Building control has confirmed that this was installed and covered in concrete by 20<sup>th</sup> February 2009. Subsequently all conditions have effectively been discharged, and the erection of the shed is acceptable for this

temporary period. However if this is to be retained on occupation of the dwelling then planning consent is required as the site does not benefit from permitted development rights.

A minor amendment was requested on 15<sup>th</sup> February for a simplified balcony, however no plans were received. The applicant was informed that whilst no objections in principle, a planning application was required as the building would no longer reflect what was originally approved.

On the 7<sup>th</sup> April 2009, the planning department received a complaint regarding the development on the site.

A meeting was held with the applicant on the 20<sup>th</sup> April with the Enforcement Officer, the Conservation Officer and the Area Planning Officer to discuss further amendments to the application (dormer windows and lower ridge), in addition to the ground works which have been carried out on the site. Drawings were shown which had been provided to building regulations, showing an exposed basement level. This meeting concluded that the applicant was erecting a dwelling that did not have approval, and that any further work would be at his own risk. He confirmed that no works were taking place as the builder was injured. In addition the applicant needed to provide actual revised plans of what we were to consider rather than tippexed and penned approved drawings for us to consider. In addition he would need to show the exposed basement as that was now a material consideration as that had not featured on any planning or building regulations drawing. This needed to be treated as a new application and all the relevant forms and fees needed to accompany the application.

The enforcement officer has since visited the site and has found the following issues:

- The proposed basement is fully exposed – visible at a pedestrian level on the opposite highway.
- The basement level has two projecting wings rather than a rectangular build as approved. These are built in hollow concrete block, which is not acceptable material in this location.
- Installation of windows and door voids at basement which have no approval.
- Basement has a lift shaft which is not shown on any planning or building regulation plans
- The basement level also includes some concrete slits on the front elevation, again visible from the highway. It is assumed these are in association with ventilation.
- The inglenook chimney is being erected at basement level, rather than the ground floor – this effectively increases the length of the chimney.
- The chimney should have shoulders which fall at first floor level; this has not yet been installed.
- No partition walls to the basement have been installed; this is currently one room rather than the bathroom and three bedrooms which have been approved. This leads rise to questioning what will be erected on the first floor – assume bedrooms will be provided at a higher level.

- The proposed doorways which were approved in the wells are no longer exposed. There is a central door.
- The proposed ground floor is 0.7m above the level of the highway. The approval was for 0.5m below the highway, effectively increasing the height of the dwelling by 1.2m
- The actual width of the building measures 11.94m, the approved scheme was only 10.1m
- The actual depth of the ground floor measures 6.5m, the approval was 6.2m.
- The approved basement depth was 8.2m, however as erected this measures 7.7m.
- Cills and lintels are cast concrete. Stone cills and brick headers have been approved. In addition these differ to the building regulation plans.
- The amended east elevation includes a ground floor window and door, the window being located closest to the highway. This has been installed in the reverse order, with the door standing closet to the highway.
- The roof trusses have been created, and are located on site; these are designed at a pitch of 45 degrees. The approval included a 40 degree pitch.
- The ground level has been altered from that approved to accommodate this large three storey dwelling.

Information gathered from Building Regulations and Environmental Engineers have been gathered. Neither have full plans which show what is being erected, including this exposed basement level. Building Regs have confirmed that the development has altered as the applicant has progressed on site. The original design included a subterranean basement, however as information was requested with regard to the retaining walls at basement level, the applicant decided to change the scheme to have a partially exposed basement. Further details were requested and the applicant decided to have a free standing retaining wall, supporting the highway and fully expose the basement. Whilst further information regarding the 2.5m retaining wall that supports the highway was requested from Environmental Engineers, buildings regulations are no longer concerned with this element as this is not part of the habitable space. This has resulted in Building Reg approval to date, with no retaining wall being installed.

Environmental Engineers have raised some concern over how this retaining wall can now be installed in the confirmed space left between the front elevation of the house and the proposed retaining wall. This will now have to be erected using highway land, excavating the highway to install. This now needs to be perused using the relevant highway act, as the highway is now at risk having no support. Further concern over the stability of this land is raised with the use of the land at the top of this bank for the depositing of building materials. Whilst the installation of the retaining wall can be pursued through the highways legislation, the retaining wall would have no purpose if the applicant has to revert back to the original planning consent. Subsequently it is recommended this is put on hold whilst planning issues are resolved, and the site is monitored on a weekly basis for stability issues.

With regard to whether planning approval is likely to be granted, information has not been relieved to adequately assess this proposal; however taking account of the

adjacent listed building, and the characteristics of the surrounding area, it is considered that any proposal should fall subservient to the adjacent listed building, and take account of the importance of this gap between the Old Coffee House and Brewery Cottage. A further application will be required to allow us to assess what is being erected on site. Whilst these plans have not been received, it is considered from the scale of the development to date, that this would be larger in scale and mass than that which was refused in 2000. The proposal as being erected, not only has an adverse effect on the Grade II listed building but also on the on the visual gap between both the Old Coffee House and Brewery Cottage. The proposal as erected has serious ground implications from the earthworks which have not been approved within the site, and as such it is considered that a stop notice is appropriate course of action before irreversible damage is caused to an area of slope instability and a World Heritage Site.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Effect on character and appearance of the adjacent listed buildings, the Ironbridge Gorge World Heritage and the Severn Gorge Conservation Area, the stability of the site and the adjacent highway.

PROPOSAL:

Retrospective planning permission is sought for the erection of a detached three storey building and associated access, on land adjacent Brewery Cottage, High Street, Coalport.

SITE AND LOCATION:

Situated within the Ironbridge World Heritage Site and Severn Gorge Conservation Area, the site is roughly a rectangular plot which was originally part of the grounds of the adjacent to a Grade II listed building, Brewery Cottage. The site is accessed directly off High Street where two gated accesses have been formed.

The site is set a lower level than High Street. The site was flat in 2000 when the first planning application was considered, and remained flat in 2005. However since this date a number of excavation works have taken place to erect the unauthorised building. The site now steps down steeply adjacent to the highway, and slopes to the rear towards the Silkin Way and the River Severn. The site is located within Floodzone 2 as identified in Telford & Wrekin Council Strategic Flood Risk Assessment (SFRA).

HISTORY:

The background of the site can be found above in the introduction.

CONSULTATIONS:

A site notice, newspaper advertisement and twelve direct neighbour notification letters have publicised the application; six letters of objection have been received. The issues raised are:

- The building is a monstrosity, it is too high and obtrusive and not in-keeping with the area,
- Access is too near the highway,

- The narrowing stretch is already a problem with speeding motorists,
- Inappropriate development in the WHS,
- The site is in the World Heritage Site and the Conservation Area,
- Issues regarding the presence of a watercourse and discharge of surface water,
- No details of retaining structure for the highway,
- No visibility,
- Concerns regarding the stability of the foundations,
- Uncompacted spoil on the site ,
- Mature trees have been removed and buried,
- Potential land slip onto the adjacent footpath,
- There has been an unfinished building site for nearly 12 months,
- Loss of view,
- The plans should never have been passed,
- The site was part of the countryside, leading to the river, grass land and trees.

The Council's Conservation Officer has objected to the proposal due to the size, scale, massing, detailing and the adverse impact upon the adjacent listed building, the WHS and the Conservation Area.

The Gorge Parish Council has objected to the proposal, the points raised are:

- The development is not in-keeping with the next door cottages,
- The development dominates the streetscene and overlooks the properties in Riverside Avenue,
- Residents feel the site is larger than shown on the plans,
- The development is larger than shown on the plans.

The Council's Highway Engineer has no objections to the proposal.

The Council's Drainage Engineer has advised that a Flood Risk Assessment (FRA) is required in line with PPS25; the site is Greenfield and therefore run-off should be restricted, and details of surface water disposal are required.

The Council's Environmental Health Officer has no objections to the proposal.

The Council's Geotechnical Engineer has objected to the proposal and is unable to comment as no details with regard to stability and retaining structures have been submitted in support of the application.

#### POLICY CONTEXT:

In the consideration of the proposal, the following local policies and national guidance are deemed relevant:

National guidance:

PPS1 – Delivering Sustainable Development.

PPS3 – Housing.

PPG14 – Development on Unstable Land.

PPG15 - Planning and the Historic Environment.

PPS 25 – Development and Flood Risk.

Core Strategy:

CS1 Homes,  
CS14 Cultural, Historic and Built Environment,  
CS13 Environmental Resources,  
CS15 Urban Design.

Wrekin Local Plan 'saved policies':

UD2 Design Criteria,  
HE3 New development in Conservation Areas,  
HE4 Detailed applications,  
H6 Windfall Sites in Telford & Newport,  
SG1 World Heritage Site,  
EH14 land Stability.

PLANNING CONSIDERATIONS:

PPS1 outlines that design must be appropriate in its context and should improve the character and quality of an area, and that if a development fails to achieve this, it should not be accepted.

PPS3 states that; Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities. It continues by saying amongst other issues that, matters to consider when assessing design quality include the extent to which the proposed development:

- Is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.
- Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.

PPG 14, states that land stability is a material planning consideration and places the onus on the developer to demonstrate that the site is suitable for the proposed development. It also states that the developer should provide at his own expense such evidence as is required by regulatory authorities to indicate that clearly that the problem has been addressed satisfactorily.

Furthermore, where development is proposed on land which the planning authority knows is unstable it should ensure that the following issues are properly addressed by the development proposed:

- the physical capability of the land to be developed,
- possible adverse effects of instability on the development,
- possible adverse effects of the development on the stability of adjoining land, and
- possible effects on local amenities and conservation interests of the development and of any remedial or precautionary measures proposed.

PPG15, gives Government advice on the protection of historic buildings and conservation areas. Paragraph 5-406, states that 'special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from,

the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own. Special regard should be had for such matters as scale, height, form, massing, respect for the traditional pattern of frontages, vertical or horizontal emphasis, and detailed design (e.g. the scale and spacing of window openings, and the nature and quality of materials). General planning standards should be applied sensitively in the interests of harmonising the new development with its neighbours in the conservation area.

Paragraph 5-393 discusses World Heritage Sites and states that 'the outstanding international importance of the site as a key material consideration to be taken into account by Local Planning Authorities when determining planning applications.' Taking into account World Heritage Site designation, and as such its outstanding universal value the Local Planning Authority is advised to place great weight on the need to protect them for the benefit of future generations as well as our own.

It continues by advising that; the design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials.

When authorities consider applications for planning permission which affect a listed building they should have special regard to certain matters, including the desirability of preserving the setting of the building.

Additionally, when a listed building forms an important visual element in a street, it would probably be right to regard any development in the street as being within the setting of the building. A proposed high or bulky building might also affect the setting of a listed building some distance away, or alter views of a historic skyline.

PPS25, sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall. Landowners have the primary responsibility for safeguarding their land and other property against natural hazards such as flooding. Individual property owners and users are also responsible for managing the drainage of their land in such a way as to prevent, as far as is reasonably practicable, adverse impacts on neighbouring land.

Guidance contained in the Core Strategy policy CS1 asserts that housing development will seek to provide every household in the Borough with an affordable, decent and appropriate home. Cs13 states that development will avoid the risks of flooding. CS14 advises that inter alia, the LPA should protect and enhance the

historic environment, cultural and built heritage, and CS15 states that development should positively influence the appearance of the local environment.

'Saved' policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively their context. The Council will assess it in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access and spatial quality.

Policy HE3 requires new development not only to preserve or enhance but to be of the highest standard of design which respects and relates positively to its context. Development which has an adverse impact upon the character or appearance will be rejected. HE4 requires full and detailed applications in conservation areas. H6 permits new housing development within the built up area of Telford providing certain criteria are met including; the Council being satisfied that problems of land stability are satisfied, the proposal does not have an adverse impact on the local environment and the proposal shows a high quality of design, especially in Conservation areas.

Additionally, Policy SG1 advises that when determining planning application and listed building consents the Council should give significant weight to the international value of the Severn Gorge area as a World Heritage Site (WHS).

Moreover, new development in the WHS is expected to preserve or enhance the area.

Policy EH14 - Land Stability of the Wrekin Local Plan, states that the Council will permit development Proposals within the Mineral and Mining Consideration Area, areas of suspected slope instability or where it is suspected there is made-up ground provided that the proposals demonstrate that:

- a) *its structural integrity shall not be compromised by slope instability.*
- b) *where active systems exist, the instability shall not be exacerbated by the development,*
- c) *the development can tolerate the ground conditions by special design and*
- d) *there is long term stability of any structures built on filled ground."*

Additionally it is stated that land stability is a material planning consideration and places the onus on the developer to demonstrate that the site is suitable for the proposed development. It also states that the developer should provide at his own expense such evidence as is required by regulatory authorities to indicate that clearly that the problem has been addressed satisfactorily.

With the above national and local policy and guidance in mind the main issues to consider when determining this application are the effect upon the character and appearance of the conservation area and the World Heritage Site, the stability of the site and the adjacent highway and flood risk.

It should be noted that there are discrepancies with the size of the building shown on the elevational drawings and the floor plans, the stated dimensions do not scale accurately and the stated measurements and scaled measurements are inconsistent

both with each other both, and from actual measurements taken on site by your officers. Furthermore, there are serious doubts with the accuracy of the indicative streetscene illustration provided by the applicant. Given the inaccuracies as mentioned above on the submitted drawings, officers are not convinced that the indicative dwelling shown in relation to the neighbouring listed buildings is at all accurate; the photomontage depicts a property with a lower eaves height than the adjacent cottages and only a slightly higher roof ridge height. However, on site the level of the top of the ground floor window (as viewed from the highway) of the new dwelling is already as high as the roof ridge of the cottages and the proposed dwelling will increase significantly in height with the addition of a first floor and a roof.

The previously approved dwelling was 10.1m by 6.2m and 8.0m in height set 0.5m below the ground level with an enclosed basement. The partially constructed building on site measures 11.9m by 7.7m and is significantly higher than approved and the level of the bottom of the front door is 0.7m higher than the ground level.

As well as the scale, height and massing of the building, concerns are raised with regard to the materials used and the detailing. The facing bricks differ to those previously approved by the Conservation officer, and are more orange in colour, the submitted brick was reclaimed. However, new ones have been used for the actual construction. Moreover, the window cills and lintels are cast concrete instead of stone. The applicant has coated the concrete with yoghurt in an attempt to improve the appearance however; your officers remain unconvinced with regard to the appropriateness of the concrete cast features. Furthermore, the previously approved boundary walling was brick which is typical in the Gorge however, boundary/retaining walls which have been built are concrete block which is deemed inappropriate in the locality, and the timber access gate differs from the one approved on the previous application and there is no planning permission for the second five-barred gate on the right hand side of the property.

Accordingly, it is considered that development being constructed is unacceptable as it fails to preserve or enhance the character or appearance of this part of the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site. The scale, height and detailing of the dwelling would result in a building which is significantly larger and higher than the adjacent dwellings and as such it fails to respond positively to its context appearing unduly prominent and incongruous and therefore would have a detrimental impact on the streetscene, the character and appearance of this part of the Severn Gorge Conservation Area, the Ironbridge Gorge World Heritage Site and the setting of the neighbouring listed buildings. Hence the proposal is considered contrary to both national and local policy and guidance contained within PPS1, PPS3, PPG15, CS1, CS14, CS15, UD2, H6, HE3 and SG1.

The property is in an area designated in High Point Rendel's Ironbridge and Coalbrookdale Ground Behaviour Study as a level 4 site. This is described as "an area unlikely to be suitable for development in accordance with the development plan unless the developer undertakes appropriate mitigation and stabilisation measures" Ground movement imposes *significant* constraints that would generally require large-scale mitigation / stabilisation measures to ensure the stability of the site and surrounding land.

The applicant has removed a significant amount of soil from the site and altered the levels. The highway is unsupported on the north of the site and the bank on the southern side of the site above the public footpath running parallel with the river has been increased as have other parts of the site by the tipping of the spoil generated by the excavations. The bank and slope is also unsupported other than by a layer of membrane and a selection of up turned wooden pallets. This situation is considered wholly unacceptable.

The Council's Engineers sent a document to the applicant in 18<sup>th</sup> June 2009, requesting information in relation to the design of the retaining walls. It was subsequently returned incomplete, and the applicant was informed. A further completed document was returned to the Council on 11<sup>th</sup> September 2009; however, the contents are inadequate. As result, the Council's Geotechnical Engineers are unable to comment on the applicants proposals with regard to the stability of the site as the information submitted is insufficient. The applicant has stated that a document regarding the stability of the site was submitted with the previous application. This is true however; these calculations were in relation to the previously approved dwelling and not in relation to the site as it now is with the significant level differences.

Therefore, it is considered that a detailed stability report with detailed subsurface investigation and long term ground movement (both the surface a subsurface) monitoring and a detailed proposed stabilisation methods prepared by a competent person is required. This must take into consideration the proposed retaining walls. The design of the retaining walls must take into account actual on site ground conditions from the ground investigation.

Consequently, as no slope stability/retaining information has been submitted to support the application, the applicant has failed to demonstrate that the development will not have an adverse impact upon the integrity of the highway, the site and surrounding area. The proposal is therefore considered contrary to national and local policies contained within PPG14 and EH14.

The applicant has also removed all of the ground from around and beneath the truss supporting the electricity pole; the pole is now leaning to the west and the wires are sagging slightly. The Electricity Board has been informed and is due to visit the site.

Conditions with regard to drainage and flooding could be addressed by way of condition if Members were minded to approve the application.

To summarise, there are significant problems with the proposal including, the principle of a three storey dwelling, the inaccurate drawings, the scale, height massing and detailing of the dwelling and the technical matters of land stability.

Thus, it is considered that development being constructed is unacceptable as it fails to preserve or enhance the character or appearance of this part of the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site. The scale and detailing of the dwelling would result in a building which is significantly larger and higher than the adjacent dwellings. Subsequently, the building fails to respond positively to its context appearing unduly prominent and incongruous and therefore

would have a detrimental impact on the streetscene, the character and appearance of this part of the Severn Gorge Conservation Area, the Ironbridge Gorge World Heritage Site and the setting of the neighbouring listed buildings. Hence the proposal is considered contrary to both national and local policy and guidance contained within PPS1, PPS3, PPG15, CS1, CS14, CS15, UD2, H6, HE3 and SG1.

Accordingly, it is considered that the proposal is contrary to both national and local policy and therefore it is recommended for refusal.

**RECOMMENDATION:** to REFUSE PLANNING PERMISSION for the following reasons:

1. The Local Planning Authority considers the scale, height, massing, detailing and materials of the proposed dwelling are out of keeping with the locality and as such are inappropriate and would represent an unacceptable and incongruous form of development, detrimental to the character and appearance of the streetscene. Furthermore, the proposal fails to preserve or enhance the character and appearance of the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site. Accordingly, the proposal is contrary to 'saved' Policies UD2, H6, HE3 and SG1 of the Wrekin Local Plan 1995 – 2006 policies CS1, CS14 and CS15 of the Local Development Framework Core Strategy 2007, and national guidance contained in PPS1, PPS3 and PPG15.
2. The Local Planning Authority considers that development being constructed is Unacceptable to the setting of the adjacent Listed Buildings. The scale, height and massing would result in a building which is significantly larger and higher than the adjacent dwellings and as such it fails to respond positively to its context appearing unduly prominent with the adjacent listed buildings. The proposal is therefore considered contrary to both national and local policy and guidance contained within PPS1, PPS3, PPG15, CS1, CS14, CS15, UD2, H6, HE3 and SG1.
3. The property is within an area of suspected slope instability, where it is necessary to ensure that development will not have an impact upon the integrity of the site and surrounding area. Therefore, a detailed stability report with detailed subsurface investigation and long term ground movement (both the surface a subsurface) monitoring and a detailed proposed stabilisation methods prepared by a competent person is required, taking into consideration the proposed retaining walls. As the above information has not been provided the Local Planning Authority considers the application to be contrary to 'saved' policy EH14 Land Stability of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPG14.

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Notes

Agenda Type : A

W2009/0672 Erection of a single storey extension to existing school entrance to form a new entrance lobby  
St Patricks Primary School, North Road, Wellington, Telford, Shropshire.  
Recommendation Code: FG  
Ward: Park

APPLICANT:  
Telford & Wrekin Council

RECEIVED ON:  
12/08/09

PARISH  
Wellington

WARD  
Park

CASE OFFICER:  
Elizabeth Attwood

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Design and appearance, visual impact.

THE PROPOSAL:

The proposal is for the erection of a single storey extension to the existing entrance to form a new entrance lobby at St Patrick's Catholic Primary School.

THE SITE AND SURROUNDINGS:

An existing school facing North Road; the building and grounds are bounded by security fencing along northern and southern boundaries of the site, with vehicular and pedestrian gates at north-eastern corner of the site. The building is low rise and is screened from the highway by well established trees and shrubbery.

CONSULTATION RESPONSES:

Wellington Town Council has confirmed that they have no objection to the application.

There have been no responses from local residents.

PLANNING HISTORY:

W2004/0642 Erection of fencing – granted.  
W2006/0027 Erection of a cycle shelter –granted.

POLICY CONTEXT:

In the consideration of the proposals, the following policies are considered relevant:  
National guidance:  
PPS1 Delivering Sustainable Development

Core Strategy:  
CS15 Urban Design.

Wrekin Local Plan:  
UD2 Design Criteria

PLANNING CONSIDERATIONS:

National guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness. High quality design should add to the overall character and quality of an area, not just for a short time but over the lifetime of the development.

Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

Moreover, policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

The existing front entrance is recessed and the proposal is to install new automatic sliding front doors flush with the front elevation of the building which will enable the creation of an entrance lobby. The development will be fairly well screened from the public domain by the existing fencing and soft landscaping. Nevertheless, it has been designed to match the existing building. The scale of the extension is very modest and is deemed appropriate and relatively minor when viewed in context.

The number of pupils at the school will not be increased as a result of this development and therefore a Travel Plan is not required, the parking facilities or play areas are not affected, and there will be no impact upon on the residential amenity.

Accordingly, it is considered that the proposed development is compliant with both local and national guidance and therefore recommended for approval with conditions.

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

1. A3 - Full with no reserved matters.
2. C118 - Compliance with approved plans.
3. SIE22 - Informative - Conditions.
4. SIE26 - Informative - Reasons for the grant of planning permission.

#### REASONS FOR APPROVAL:

The proposed development is considered to be acceptable and will have a positive impact on the amenity of the school and no adverse impact on the character and appearance of the building or the surrounding area. There will be no impact upon the school playing fields, parking or the residential amenity.

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Notes

Agenda Type : A

W2009/0682 Construction of ramps and footpaths and erection of 1.2m high metal vehicular and pedestrian gates \*\*\*\*\*AMENDED  
DESCRIPTION\*\*\*\*\* Priorslee Primary School, Priorslee Avenue, Priorslee, Telford, Shropshire. Recommendation Code: FG  
Ward: Priorslee

APPLICANT:  
Telford & Wrekin Council

RECEIVED ON:  
14/08/09

PARISH  
St. Georges & Priorslee

WARD  
Priorslee

CASE OFFICER:  
Andrew Mackriell

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Design and appearance of the proposed works and the likely impact on the amenities of the surrounding area.

THE PROPOSALS:

The application is for various works to improve access facilities at the school and Community Centre site including new entrance gates, provision of bays for disabled parking spaces and upgrade existing footpaths within the site.

SITE AND SURROUNDING AREA:

The school complex is comprised mainly of brick built buildings and includes an adjoining Community Centre. Both buildings are accessed from the same car-park to the front. The school is situated adjoining a predominantly residential area, close to the local district centre of Priorslee.

PLANNING POLICY CONTEXT:

LDF Core Strategy DPD:  
Policy CS9 Accessibility and Social Inclusion  
Policy CS15 Urban Design

Wrekin Local Plan:

Policy UD2 Design Criteria

CONSULTATION RESPONSES:

The Council's Engineers recommend informatives regarding ground conditions.

PLANNING CONSIDERATIONS:

The application is now partly retrospective as the proposed new footpath and pedestrian gate to the Community Centre entrance was in situ at time of the planning officer's site visit. Two disabled parking spaces are already marked out in front of the Community Centre.

The new gates would replace the existing timber gates at the entrance to the car-park and will be of tubular metal construction. Therefore they will be lighter and

easier to operate for those using the Community Centre and school. The overall height would be 1.2 metres and the resultant appearance would be satisfactory.

The proposals represent minor works to the school site which would have little significant impact on the character and amenities of the surrounding area.

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

A3 - Standard time limit

**REASONS FOR APPROVAL:**

The proposed footpath alterations and replacement gates represent minor works at the school site which would be of a satisfactory appearance and would not detract from the street scene or the amenities of the surrounding area. The disabled car-parking spaces are appropriately sited and will improve accessibility to the Community facilities.

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Notes

Agenda Type : A

W2009/0684 Erection of a boundary wall including piers and finials  
Lilygrace, Farm Lane, Horsehay, Telford, Shropshire.  
Recommendation Code: FG  
Ward: Horsehay & Lightmoor

APPLICANT:  
Mr Stuart Devere

RECEIVED ON:  
13/08/09

PARISH  
Dawley Hamlets

WARD  
Horsehay & Lightmoor

CASE OFFICER:  
Elizabeth Attwood

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The scale and size of the wall and impact upon the character and appearance of the area and residential amenity.

PROPOSAL:

This is a retrospective application for the retention of a boundary wall including piers and finials.

HISTORY:

Planning permission (W2001/0414) for the erection of a dwelling and garage was granted with conditions by Plans Board on 20<sup>th</sup> March 2002. Inter alia, the conditions included submission of details of external materials, enclosure of the site and landscaping.

Details addressing the above issues were submitted and the conditions were duly discharged. However, the wall was not built in accordance with the approved details hence retrospective application (W2009/0117) was submitted following enforcement action for the retention of the boundary wall, brick piers and finials.

The walling was deemed acceptable, as were the two piers closest to the highway. They are similar in height and design to others in this part of Farm Lane, and as such respect the character and appearance of the locality and reinforce the existing boundary treatments. However, the two piers further along the drive were considered inappropriate. Their excessive height at total of 2.9m (coupled with the coping and the ornate 645mm high acorn finial detail on top) resulted in features which appeared incongruous, strident and unduly prominent development to the detriment of the locality. The development was judged to be unacceptable as it resulted in an adverse impact upon the character and appearance of the area, and the scale of the pillars in particular, resulted in a loss of residential amenity to the occupiers of the neighbouring dwelling by reason of the visual prominence due to their scale and size.

Therefore, as it was not possible to make a split decision on planning applications, the proposal was considered unacceptable as it failed to comply with the Wrekin Local Plan, the Core Strategy and national guidance contained in PPS1. Consequently Members refused the application as recommended by officers.

The proposal is now to reduce the height of the two rear piers, hence this application to regularise the situation.

**POLICIES:**

The following policies are considered relevant in determining this application;

Wrekin Local Plan:  
UD2 Design Criteria.

Core Strategy:  
CS15 Urban Design.

National guidance:  
PPS1 Delivering Sustainable Development.

**SITE AND LOCATION:**

Lilygrace is a large detached dwelling with an attached garage and accessed via a private drive between neighbouring properties known as Stanwell and The Whispers. Farm Lane is a no through road for vehicles and divided by bollards located near to Stanwell. The character of Farm Lane to the north of the bollards is typified by large individually designed detached dwellings on generous plots, the majority of which are bounded by high walling and accessed via prominent gateways. The dwellings situated to the south of the bollards are slightly more modest with boundary walls of a more domestic scale.

**CONSULTATIONS:**

Five direct neighbour notification letters publicised the application; two letters of objection have been received. The issues raised are:

- There is very little change from the previous application,
- The height of the gate pillars and boundary wall is spoiling the view of the green hedges and trees,
- Piers and finials are still far too high and visually intrusive,
- The ground level of the drive has been raised,
- The boundary wall is close to neighbouring boundary hedge stopping light and moisture getting to the foliage, causing the hedge to lean,
- Applicant's actions are unneighbourly conduct.

The consultation period had not expired at the time of the writing of this report; any additional representations will be reported to Members at Plans Board.

The Council's Highway Engineer has no objections.

The Parish Council had not commented at the time of writing this report; any comments received will conveyed to Members at Plans Board.

**PLANNING CONSIDERATIONS:**

Members are respectfully reminded that previously they considered that the front pillars and walling were acceptable, as they are similar in height and design to others

in this part of Farm Lane, and as such respected the character and appearance of the locality and reinforced the existing boundary treatments. Therefore, the issue for consideration with application is the height of the two rear piers.

Policy UD2 of the adopted Wrekin Local Plan is the key reference point for the Council in considering the design quality of all development. The approach accords with Government advice set out in PPS1. It sets out the criteria which guides the Council's decision making in assessing proposals. It seeks to encourage the highest quality of design appropriate to the locality.

In considering whether or not a development is of an appropriate design quality, and relates positively to its context, the Council is required to assess it in relation to its scale, form, proportions, materials and spatial quality.

In making its assessment the Council are guided to test it against adopted urban design principles ensuring that development, respects and responds positively to its context, enhances the quality of the local environment. Furthermore, development is expected to respect and integrate with the wider landscape setting and reinforce existing boundary treatments.

Policy CS15 of the adopted Core Strategy states that the design of development will assist in creating and sustaining safe places, strengthening local identity and projecting a positive image, which will positive influence the appearance of the local environment.

National guidance contained in PPS1, states that design which is inappropriate in its context, or which fails to improve the character and quality of an area, should not be accepted.

Following advice from the planning officer the driveway has now been laid and the proposal is to reduce the two rear piers by 17cm (almost 7") in height to 2.745m. This height is the same as previously approved under the landscaping condition in 2007, which had been imposed on planning permission W2001/0414 as mentioned above. (It should be noted that the previously discharged condition included four acorn finials on both front and rear piers, whereas this proposal is only for two acorns on the rear piers.

Accordingly, now that the piers have been reduced in height they are considered appropriate, as they were previously when the planning conditions on W2001/0414 were discharged. As a consequence, this together with the reduction from four acorns to two results in pillars which are comparable to others in the locality and as such they will not appear unduly prominent and would not have an adverse impact upon the character and appearance of the area.

The comments raised by the neighbours are noted, however, issues relating to neighbour disputes, encroachment and damage to property are private matters between the applicant and his neighbours. Nevertheless, the Local Planning Authority now considers that the reduced scale of the pillars has overcome the previous concerns regarding residential amenity. Furthermore, the new growth of the neighbouring hedge has helped to soften the feature and if it is allowed to grow to

the same height as it was before it was trimmed and the same height as the section behind the front pier and walling this would further screen the development for the neighbour.

Therefore, the proposal is now considered acceptable and compliant with the Wrekin Local Plan, the Core Strategy and national guidance contained in PPS1. Consequently it is recommended that the application is approved.

RECOMMENDATION: APPROVE PLANNING PERMISSION with the following conditions:

1. A3
2. SIE22,
3. SIE26.

REASONS FOR APPROVAL:

The pillars are now comparable to others in the locality and as such they will not appear unduly prominent and will not have an adverse impact upon the character and appearance of the area. The reduced height and existing hedging will ensure that there will be no significant adverse impact upon the residential amenity of the neighbouring property.

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Notes