

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 4<sup>th</sup> August, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors N.A. Dugmore, J.A. Francis, D.R. Chaplin, G.M. Green, R.T. Kiernan (Vice-Chairman), F.R. Picken, H. Rhodes and M.J. Smith

#### **PB-22      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on the 4<sup>th</sup> July, 2010 be confirmed and signed by the Chairman.

#### **PB-23      APOLOGIES FOR ABSENCE**

None.

#### **PB-24      DECLARATIONS OF INTEREST**

Councillor H. Rhodes declared a personal interest in planning application TWC.2010/0157 during discussion and determination of which she would leave the room.)

#### **PB-25      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PB-26      SITE VISITS**

None.

#### **PB-27      PLANNING APPLICATIONS FOR DETERMINATION**

(a) W2006/0608 - Land off, Church Walk, Donnington, Telford, Shropshire.

At its meeting on 15<sup>th</sup> October, 2009 the Board agreed to a relaxation in the S106 Agreement for affordable housing provision on this site from 7 units to 4 units for a six month period until the end of April 2010 to enable the applicant to progress the development during the economic downturn. The applicant had not been able to do this. The scheme remained partly constructed, had been vandalised and become an eyesore within the immediate locality, and the applicant had not paid the Council the outstanding S106 Agreement money that had been due on commencement of the development. The applicant had, therefore, requested a further extension until February 2011 to finish the scheme while benefiting from a reduction in the affordable housing provision.

At the request of officers the applicant had provided a letter from his bank confirming that it would help fund the finishing of the scheme and pay the outstanding S106 Agreement money to the Council. A number of planning pre-commencement

conditions had not yet been discharged by the applicant and release of these funds was dependant on them being addressed satisfactorily.

Members were aware of the difficulties facing developers in the current economic down turn but, whilst the Council wished to be constructive and ensure development continued, it had also to try to deliver affordable housing. The site was fairly well advanced and officers concurred with the aspirations of the developer that to finish it would help secure the deliverability of 24 units including affordable housing. In addition, local residents and the local area would benefit from a finished development rather than a boarded-up unfinished site.

The applicant's bank was prepared to provide funding for a nine month period (six months to complete the scheme and three months for sales) provided that an independent Bank Monitoring Surveyor was appointed by the bank to monitor the development. It was hoped that a monthly progress report on the scheme would be provided for the Council to ensure that the February timeframe was met. The bank had also requested that a Section 106 clause should stipulate that a review be undertaken if the scheme was not fully completed by that date. Officers, therefore, considered that, given the assurances of the applicant's bank, a reduction in the number of affordable units could be reduced to 4 units (22%) until the end of February 2011, after which time the affordable housing provision would revert back to 38%. This would enable the development to continue to completion, deliver the affordable housing, together with the S106 Agreement financial contributions for leisure (£500 per dwelling), education (£28,101) and Highways (£10,000).

Members welcomed the action proposed which would enable this development to be completed.

**RESOLVED – that with regard to planning application W2006/0608 approval be given to amend the S106 Agreement so that the percentage of affordable housing be reduced to 22% (4 units) of the 18 approved units, but that if the development was not completed by 28<sup>th</sup> February 2011 the affordable provision reverted back to 38%, with a review clause.**

(b) TWC/2010/0053 - 27 High Street, Hadley, Telford, Shropshire

This application sought planning permission for a change of use from residential and commercial use to residential use with external alterations for a vacant former Post Office with living accommodation behind and above. The property was a traditional style two-storey building with a forward projecting single storey element which historically served as the Post Office.

The building was finished in white painted render with a plain clay tiled gable roof and was in a poor state of repair and partially boarded up. It was set back from the highway by approximately 10m and there was a large overgrown garden to the rear extending to almost 40m in length bounded with timber panel fencing. The property was an end terrace in a row of three, the other two of which were residential properties being residential.

The proposal was to refurbish and re-roof the building and replace the existing doors and windows with white Upvc units, replace the 'shop entrance' with a standard sized window, demolish an outbuilding in the back yard and change the whole building to residential use.

The Council's Geotechnical Engineers had no objections but had recommended that an informative be included advising that no development should take place over the historic well in the rear garden.

The site was designated as 'white land' in the Wrekin Local Plan and was in a sustainable location within walking distance of amenities and public transport. The property had adequate private amenity space and off-street parking could be provided. The property was sited in a row of existing residential properties and was sufficiently distant from the existing hot food takeaway on the opposite side of the unmade access track to ensure that the residential amenity of any future occupiers was not compromised.

The site has been in a semi-derelict state for over seven years and the Council had had to serve a Section 215 - Untidy Land Notice. Therefore, the proposed works and refurbishment of the building and bringing back of the property into functional use would have a positive visual effect on the premises and the character and appearance of the streetscene and the area.

The loss of the retail use would have no impact upon the vitality and viability of Hadley as a District Centre and a full range of services and amenities, including a Post Office, could be found within the nearby Primary Retail Zone.

**RESOLVED – that with regard to planning application TWC/2010/0053 planning permission be granted subject to the conditions as set out in the report.**

(c) TWC/2010/0072 - 9 Anstice Square, Madeley, Telford, Shropshire

This proposal was a full application a permanent change of use from A1 (retail) to A5 (takeaway) together with the creation of a new shop front and extract duct. The application site was a contemporary two-storey building constructed of brick, cladding, glazing and steel which had been empty since its construction earlier in the year. A high level projecting canopy with column support fronted the majority of the building and there was a service area and access to the rear. The building was within the Primary Retail Zone of Madeley and located on the edge of the newly created Anstice Square and link road opposite the supermarket adjacent to which was an extensive parking area. The site was situated within the setting of the Grade II Listed Anstice Building and the Severn Gorge Conservation Area.

Madeley Parish Council had submitted objections to the proposal, as set out in the report. Following initial objections from the Council's Conservation Officer relating to the proposed roof top flue and its impact on the Anstice Building and the Conservation Area, amended plans had been submitted removing this element and adding a vent to the rear elevation of the property. Three letters of objection had also been received, as summarised in the report.

The existing use of the premises was A1 retail and was conditioned to remain so under the extant planning permission for the regeneration of Madeley District Centre in order to protect the viability of the District Centre. The policies contained within the Wrekin Local Plan were written over a decade previously and, although they still formed part of the Development Plan, needed to be read in conjunction with more recent policy advice, such as PPS4, and within the context of the recent redevelopment of as Madeley District Centre. The impact on the setting of the Listed Building and the Conservation Area had raised some initial concerns as the Local Planning Authority had sought to ensure that the roofline of the approved retail units remained clean of commercial clutter and paraphernalia, however, this proposal would enable them to be located in the service yard to the rear of the units.

In terms of amenity, given its District Centre location but close proximity to residential properties, it was recommended that the hours of operation should be limited by condition to 09:00 - 22:00 Sunday to Thursday and Public Holidays but 10:00 - 23:00 on a Friday and Saturday. The proposal indicated that 8 full time and 28 part-time jobs would be created so providing investment and employment for the local area.

Malcolm Morris, Deputy Clerk, detailed the strong objections that Madeley Parish Council had towards this application which it considered to be inappropriate for the location and likely to cause nuisance to nearby residents by customers' parked vehicles; in addition the Parish Council also considered that proposal was in conflict with the Wrekin Local Plan. The Applicant's Agent, Mr. R.C. Unwin spoke in support of the application which he said had been submitted following lengthy discussions with the Local Planning Authority. He emphasised the investment this national company was making in Madeley and the resulting employment opportunities.

Councillor G.M. Green, Ward Member for Madeley, said that the roads/accesses provided in conjunction with the new Centre had yet to be adopted by the Highways Authority and, requested that the parking issues be resolved through the adoption of the highway. The Head of Planning asked the Board to note that the Highways Engineer had no objections to the application, however he assured the Board that he would follow up the concerns expressed regarding parking.

**RSOLVED – that with regard to planning application TWC/2010/0072 planning permission be granted subject to the hours of operation being amended to 09:00-22:00 Sunday – Thursday and on public holidays but 10:00-23:00 Friday – Saturday and to the conditions as set out in the report.**

(d) TWC/2010/0130 - Ground Floor, Euston House, Euston Way, Telford Town Centre, Shropshire

This application by Telford & Wrekin Council sought planning permission for the change of use of these ground floor offices to a Primary Care Trust Clinic to allow the relocation of a variety of services from the Princess Royal Hospital in order to relieve pressure on that facility and reduce theatre waiting lists. The proposal comprised consulting rooms and an assessment area for general examination together with a theatre for cataract surgery and associated facilities. The opening hours of the Clinic would be 8am - 8pm Monday to Saturday with no opening on Sundays or Bank Holidays. An associated application, TWC/2010/0204, for

alterations to the ground floor, compounds and a concrete base for the scanner/x-ray unit was considered in conjunction with this application.

Initial concerns raised by the Council's Highways Engineer regarding the parking provision available had been overcome following discussions with the applicant and on the understanding that all employed staff would have annual parking permits for the Railway Station pay-and-display car park, thus leaving the on-site parking area for patients only. The Highways Engineer had also requested that signage was installed to each on-site allocated car parking space to prevent unauthorised parking.

Within the Central Telford Area Action Plan Southwater was identified as the preferred location for a new medical facility, as outlined in the report. Whilst the proposal fell within Use Class C2, the criteria of Policy E9 were still considered relevant and the applicant had submitted evidence of the marketing of these commercial premises to demonstrate that the Unit had been vacant since 2008 and marketed for at least 12 months in local newspapers. It was, therefore, considered that there was no demand for office space and the loss of the Unit would not adversely affect the existing supply of office space.

Officers had advised the applicant that the Southwater Development would be a more appropriate location for the Clinic but since it would not be completed for a number of years and this vacant office space was available in a highly accessible location, on balance the proposed change of use was considered to be acceptable. As this facility could be relocated to Southwater on completion of the development, officers considered that the granting of a 5 year temporary planning permission for the change of use would be appropriate in order to maintain the designated employment area. However, the applicant had requested a consent period of 10 years to mirror the lease taken on the building by the Primary Care Trust. This was considered acceptable given the nature of the proposal and the benefits it would provide together with the accessible location.

The update report tabled at the meeting clarified that officers did not consider that the existing office space was an ideal location but there was a lack of available space in the town centre which was the preferred location for the proposed Clinic. There was currently sufficient office space to meet the requirements of needs and of the Local Plan and, therefore, this proposal was considered acceptable to meet Government objectives. As a more suitable location would be within the Southwater development, officers recommended temporary planning permission be granted. This would enable the Local Planning Authority to review the suitability of the site and ascertain whether there were more appropriate locations for such facilities in ten years time. The Planning Officer further informed the Board at the meeting that, as the application site was owned by the Council, it would be in position to request the Primary Care Trust to relocate to Southwater if that development was finished within the period of the temporary planning approval.

**RESOLVED** – that with regard to planning application TWC/2010/0130 planning permission be granted subject to the conditions as set out in the report.

(e) TWC/2010/0147 - Ketley Filling Station, Holyhead Road, Ketley, Telford, Shropshire

This was a full planning application for the erection of 50 residential units comprising 8 one-bedroom flats, 15 three-bedroom houses, 4 two-bedroom flats, 16 two-bedroom houses, 15 three-bedroom houses and 7 four-bedroom houses. The developer intended to provide 32 affordable units (27 rented and 5 shared ownership) and 10 for outright sale with the remaining one-bedroom flats being built specifically for people with learning disabilities. All the dwellings would be constructed to “Lifetime Homes” standard and the two-storey houses would have ‘knockout panels’ in the ceilings to enable lifts to be installed at a later date

The dwellings fronting the Holyhead Road would comprise a series of terrace cottages with a variety of roof heights with rest of the development being mainly semi-detached houses with parking down the sides of the units. All the dwellings would be two-storey in height with pitched roofs, although the 4 bedroom units would have rooms and windows in the roofspace. External materials would be red and brown brickwork with grey and red tiles and all the dwellings would have casement windows, either panelled or cottage style front doors, and simple canopies over the front door. Many would also have chimneys.

All the houses had a private rear garden area and the flats had a communal amenity space. 75 parking spaces would be provided within the site enabling each 3 and 4 bedroom house to have two parking spaces and each 2 bedroom dwelling to have 1 parking space. 58 of the parking spaces would be covered ‘carports’, predominantly constructed in brick with pitched and tiles roofs and the remaining 17 would be uncovered. 8 visitor parking spaces would also be provided around the site. There would be one vehicular access road into the site provided by 2.4m by 70m visibility splays and the relocation of an existing pedestrian refuge in the middle of the Holyhead Road. The development proposed the use of ‘Home Zones’, which provided shared surface areas for cars, pedestrians and cyclists to encourage lower vehicle speeds.

Ketley Parish Council wished to see the site developed but had a number of concerns relating to the application, including the lack of play provision for young children. The Council’s Highways Engineer had no objections subject to the conditions as listed in the report. The Council’s School Organisation Officer had requested a financial contribution of £28,940.66 towards the provision of additional primary educational facilities in the Ketley area and the Council’s Outdoor Recreation Officer, while not insisting upon facilities for children on the site, had requested a financial contribution of £25,200 towards the provision of additional off-site play/recreational facilities in the Ketley area.

Most of the application site was shown as ‘white land’ on the Wrekin Local Plan and as such residential development was acceptable in principle. A small area was designated Green Network but this had been concreted over for many years ago. Issues relating to design, appearance, access, parking, drainage, noise, and ground contamination had been resolved to the satisfaction of the relevant Council Officers. However, the Council’s Environmental Health Officers had expressed concerns

relating to the ferric dust which periodically fell on the site from the Saint Gobain foundry approximately 100m south-west of the application site. The dust was not harmful to human health, animals or plants but could causing pitting to the surface of metal objects. The foundry fully complied with the permit granted by the Council under the Pollution Prevention and Control (England and Wales) Regulations 2000 and, whilst it was acknowledged that an air pollution problem had existed as far back as 2000, this had been rectified to a significant extent by the introduction of an improved filtration system. Although it had been shown that any dust deposits present in the air were more likely to fall on and around the Ketley Business Park, the applicants proposed mitigation by way of the introduction of car ports to cover 77 of the 104 external parking spaces within the scheme and the installation of brick cills throughout the development.

The application site lay adjacent to Holyhead Road, a major transport corridor on the Wrekin Local Plan and the development of this site with a well designed housing scheme that related positively to its context and respected the immediate area would not only portray an enhanced image of the town but would also make a more positive contribution to the townscape of the surrounding area in line with Policy UD6. This prominent site had lain derelict for some considerable time and was becoming an eyesore and, due to problems of vagrancy, theft, vandalism, and squatters, all the former buildings had been demolished. Therefore, it was considered that the advantages of redeveloping this 'brownfield' site and providing a high proportion of affordable dwellings outweighed any possible risk from the dust.

Members were reminded that a previous application for the site (W2006/0488) had been approved by the Plans Board, although the associated Section 106 Agreement had not been signed, which should be considered a material consideration in relation to assessing this current application, particularly in view of the fact that there had been no change in circumstances over the past four years and the basic footprint of the scheme was the same.

The update report tabled at the meeting set out the reasons for the Outdoor Recreation Officer not requesting a children's play area. These were that the development was below the threshold size to trigger the need for on-site play provision, the distance from the application site to the existing well-equipped play area in Sandbrook was less than the NPFA accessibility standard, the requisite buffer zone that would be needed around any play area on the site could result in the loss of up to 20 dwellings, and the previous scheme, albeit undetermined, did not contain any on-site play provision and none had been requested.

The tabled report also provided additional information from the Council's Environmental Health Officer, who stated that compliance inspections of the St. Gobain's foundry had shown excellent compliance with the Pollution Prevention and Control permit. There had only been one dust complaint relating to the Saint Gobain foundry in the last twelve months. He also confirmed that the dust from ferric discharges rarely went more than 100m from source. The ferric discharge point directly faced the application site and the distances were all within 100m. However, this situation was influenced by wind direction and climatic conditions".

Councillor Martin Young, Chairman of Ketley Parish Council, said that while the Parish Council supported the application, it had a number of concerns, namely the site access, the lack of incidental on-site play space for children, and the proposed choice of tree species.

Councillor H. Rhodes and F.R. Picken both welcomed the development of this site but said that a roundabout would improve the access onto the Holyhead Road for both this site and the estate on the opposite side of the road. The Head of Planning said that he welcomed the support of the Parish Council and had noted the issues raised. With regard to the Members' comments he said that the provision of a roundabout would place an inappropriate financial burden upon both the Local Highways Authority and the developer. In addition, the Council's Highways Engineer had no objections to the application and a previous application (W2006/0488) for the residential development of the site had been approved without the inclusion of a roundabout. With regard to the comment made by Councillor Young regarding the need to use planting appropriate for the wildlife on the site, the Head of Planning said that Condition 4 could be strengthened to this effect.

**RESOLVED** – that with regard to planning application TWC/2010/0147 the Head of Planning be authorised to grant planning permission subject to the applicants entering into a Section 106 Agreement relating to (a) the provision of 64% social/affordable housing, (b) the payment of £28,940 towards primary educational facilities in the area, and (c) the payment of £25,200 towards off-site recreational facilities in the area, and to the conditions as set out in the report with Condition 4 being amended to provide appropriate landscaping to encourage wildlife.

(Councillor H. Rhodes, having previously declared an interest in the following application, left the room during discussion and determination thereof.)

(f) TWC/2010/0157 - Land opposite Pear Tree Bridge Inn, Holyhead Road, Oakengates, Telford, Shropshire

This planning application was for the erection of 4 two-bedroom flats, 4 two-bedroom houses, and 4 three-bedroom houses on the corner of Holyhead Road and Charlton Street. The site, which extended to 0.169 hectare, had been vacant for many years. 4 flats would be constructed on the corner of Holyhead Road and Charlton Street and 4 pairs of semi-detached houses constructed facing onto Holyhead Road. All the buildings would be two-storey in height, although 4 of the semi-detached houses would also have rooms in the roof, with pitched roofs and brick walls. There would be simple canopies above all the front doors.

There were 2 vehicular accesses into the site, one from Holyhead Road and one from Charlton Street and a total of 19 car parking spaces would be provided, mainly along the rear boundary of the site. The pavement along Holyhead Road would be widened to 1.8m and a low wall constructed along the back edge of the pavement with inset pedestrian gates. 1.2m high vertical timber palisade fencing would enclose the private rear garden areas and shrub planting would be provided around part of the site to soften the edges of the hard paving.

The adjacent Sports & Social Club has concerns as summarised in the report. The Council's Highways Engineer had no objections subject to a contribution of £5,000 towards drawing up a Traffic Regulation Order to prohibit any on-street parking around the perimeter of the site, and the imposition of conditions relating to the provision of visibility splays, increasing the width of the pavement fronting the site, and ensuring the parking spaces were surfaced in a bound material and delineated.

The Council's School Organisation Officer had requested a contribution of £18,072 towards the provision of additional primary educational facilities in the Oakengates area and the Council's Outdoor Recreation Officer had requested a contribution of £600 per dwelling towards the provision of additional play/recreational facilities at Hartshill Park.

Discussions and negotiations have been taking place between the applicant and the Council's Highway and Planning Officers over the past few months, as outlined in the report. Even though officers had not been able to secure all the changes they would have wished, taking the scheme as a whole it was considered that the design, layout and density of this small housing development was acceptable. The design and appearance of the dwellings related positively to their context in this part of Oakengates, and the units respected the existing and adjacent dwellings along this stretch of Holyhead Road. The proposed development would enhance the overall appearance of a prominent site that had been vacant for many years and would positively contribute to the street scene and townscape of not only this site but of the surrounding area. In addition, the proposed development would not adversely affect the residential amenities presently enjoyed by occupants of adjoining development by reason of any undue overlooking, loss of light, or any overbearing effect.

**RESOLVED** – that with regard to planning application TWC/2010/0157 the Head of Planning be authorised to grant planning permission subject to the applicants entering into a Section 106 Agreement relating to financial contributions of (a) £7,200 towards recreational facilities, (b) £18,072 towards primary educational facilities and (c) £5,000 towards drawing up a Traffic Regulation Order prohibiting on-street parking around the site, and to the conditions as set out in the report.

(Councillor H. Rhodes returned to the meeting).

(g) TWC/2010/0183 - Grooms Alley, Wellington, Telford, Shropshire.

This application sought to renew extant outline planning permission W2008/0087 for residential development with all matters except access reserved including the amended wording to Condition 17 which was for a single vehicle access point adjacent to No. 20 Saville Close, with a pedestrian and cycle only access opposite 66 Saville Close, and a footpath link over the railway bridge to the north west.

**RESOLVED** – that with respect to planning application TWC/2010/0183 the Head of Planning be authorised to grant outline consent subject to the applicant entering into a Section 106 Agreement to provide financial contributions of £52,459.20 for primary education, 20% affordable housing, a

**sum of monies for maintenance of on-site open space, and provision of footpath on open space and to the conditions set out in the report.**

(h) TWC/2010/0204 - Euston House, Euston Way, Telford, Shropshire

The application requested planning permission for alterations to the ground floor office space to include new windows to the west (front) elevation, an addition of a door to the north elevation, modifications to the windows to conceal internal partitions, 2 air conditioning compounds, 2 waste stores and a concrete base for a mobile MRI scanner and x-ray diagnostic unit. It was considered in conjunction with the associated application TWC/2010/0130.

The Design & Access Statement stated that the scanner would visit the premises on a weekly basis and the x-ray unit once or twice a week. They would arrive in the early hours of the morning to minimise disruption to adjacent users and would be on site for 24 hours. The concrete base would be located at the front of the building and the air conditioning compounds and waste storage would be positioned to the side elevations of the building on existing grass verges. The existing 22 spaces allocated to the ground floor of the unit would be retained as the mobile units would be sited on a landscaped area to the frontage. The air conditioning and waste storage areas would be screened by 1.8m high timber fencing in keeping with the existing fencing on the site and partly screened by landscaping to the boundary of the site. Subsequently, the scale and design of the compounds was deemed acceptable.

The proposals were considered appropriate and would not adversely impact on the character and appearance of the site or area, or on parking provision. Officers considered that the movements of the articulated vehicle (HGV) transporting the MRI scanner/x-ray unit should be conditioned to ensure they were not during the working day (7am – 7pm) which could adversely affect the free flow of vehicles and highway safety. A further condition was recommended to limit the siting of the units at the front of the clinic to a maximum of 48 hours in a 7 day period.

**RESOLVED – that with respect to planning application TWC/2010/0204 planning permission be granted subject to the conditions as set out in the report.**

(i) TWC/2010/0286 - 3 Farm Meadow Close, Horsehay, Telford, Shropshire

The application was for a single storey ground floor extension to the rear of the dwelling. It would be of brick and tile construction to match the house with the inner side elevation and part of the rear elevation being predominantly glazed. The main part of the extension would be 6.6m long, with an overall length of 7m including the inglenook chimney on the rear elevation.

The outlook to the rear of No. 2 Farm Meadow Close was already partly affected by the visual impact of the gable end side elevation of this property's integral garage and kitchen/utility room due to the orientation of the two dwellings. The overall

height of the existing gable end was 7m compared to a height of 4.5m to the roof ridge of the proposed extension.

It was considered that the house occupied a good-sized plot which was adequate to accommodate the extension without resulting in a cramped development. The side of the extension would be approximately 2m from the boundary with No.2 and there was a difference in the ground level between the two dwellings with No.3 being lower. This drop in the ground level combined with the distance would further mitigate against the visual impact of the extension.

A small velux window was proposed on the side elevation adjacent to the boundary with No.2 but the proposed location in the roof slope, significantly above head height, would not cause overlooking of the adjacent rear garden.

**RESOLVED** – that with respect to planning application TWC/2010/0286 planning permission be granted subject to the conditions as set out in the report.

The meeting ended at 7.15 p.m.

**Chairman:** .....

**Date:** .....

**TELFORD & WREKIN COUNCIL**

**PLANS BOARD**

**25<sup>th</sup> AUGUST 2010**

Schedule 1 - Planning applications for determination by Board

<b>TWC/2010/0133 Watkins Nursery, Apley Castle, Telford, Shropshire, Erection of 2no. dwellings with demolition of 4.1m section of wall to allow vehicular access to site .....</b>	<b>2</b>
<b>TWC/2010/0134 Watkins Nursery, Apley Castle, Telford, Shropshire, Erection of 2no. dwellings with demolition of 4.1m section of wall to allow vehicular access to site .....</b>	<b>7</b>
<b>TWC/2010/0302 Saint Marys RC Primary School, Coronation Crescent, Madeley, Telford, Shropshire, TF7 5EJ Erection of new security fencing .....</b>	<b>8</b>
<b>TWC/2010/0349 Town Park, Hinkshay Road, Malinslee, Telford, Shropshire, TF3 4AQ Proposed single storey visitor centre (Use Class Sui Generis) .....</b>	<b>10</b>

TWC/2010/0133

Watkins Nursery, Apley Castle, Telford, Shropshire,  
Erection of 2no. dwellings with demolition of 4.1m section of wall to allow vehicular access to site

**APPLICANT**

Shropshire Homes Limited

**RECEIVED**

26/04/2010

**PARISH**

Hadley and Leegomery

**WARD**

Apley Castle

**CASE OFFICER**

Phil Baker

THE PARISH COUNCIL AND COUNCILLOR BLUNDELL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS AT PLANS BOARD

MEMBERS WILL RECALL THE APPLICATION WAS DEFERRED AT PLANS BOARD ON 14<sup>TH</sup> JULY 2010 AS A FURTHER CONSERVATION APPRAISAL WAS BEING SOUGHT

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development and Impact on Listed Wall.

**THE SITE AND THE PROPOSAL:**

This application, and the accompanying Listed Building application (TWC/2010/0134), relates to the erection of two dwellings and the demolition of a 4.1 metre section of the wall of the former garden of Apley Castle to allow vehicular access, at Watkins Nursery, Apley Castle, Apley.

The proposed development site lies to the south of the former walled garden of the now demolished eighteenth century Apley Castle. The wall, which dates from the 18<sup>th</sup> Century, is approximately four metres in height and is Grade II Listed. The land to the south is heavily wooded, with all the trees protected by a group Tree Preservation Order. This area forms part of Apley Woods, a large area of public open space that is freely used by local residents for informal recreational purposes.

The two houses face each other and are identical in design and appearance. They are both two-storey four-bedroom houses, with an attached single garage. There is additional parking on the driveways. The houses match in style and appearance those that have already been approved within the walled garden.

The rear gardens of the proposed houses will be enclosed by 1.8 metre high walls. When the application was submitted it was intended to erect a 900mm high metal fence along the remainder of the site boundary. However, in view of the comments and objections made by some consultees about access into the woodland to the south of the site (mentioned in the next section of this report) it is now proposed to continue the 1.8 metre high wall along the whole site boundary.

The stability of the wall will be protected by the introduction of piers to the inner face adjacent to the opening. The salvaged bricks from the demolition will be re-used to replace damaged areas of brickwork elsewhere in the wall.

Amended plans have been submitted that show a 4.1m wide and 3m high archway instead.

#### CONSULTATION RESPONSES:

Councillor Blundell objects to the application on the grounds that a further breach of the Listed Wall will detract from its appearance, and also affect its character and the view from inside Apley Woods. As this wall is Listed in its own right it should be afforded protection. One breach has already been allowed and another one is not warranted for two extra houses.

Six letters and e-mails have been received from local residents, objecting to the application. These can be summarised as follows:

- Lack of respect for the historical importance of the whole area
- Would destroy the character, appearance and setting of the site and the walled garden
- Lack of concern for the conservation of the built heritage
- The proposal will not improve or enhance the setting of the walled garden
- A precedent has not been set by the previous permission as this proposal is outside the wall
- Will have a detrimental impact on wildlife in the area
- The habitat survey is worthless because it was carried out after the site was cleared of all wildlife and protected species
- Will prejudice security for future residents of the walled garden, increasing the risk of crime and anti-social behaviour
- Metal gates are not a local feature (these have now been deleted)
- Inaccurate statements in the Design and Access Statement

The Parish Council objects to the application on the following grounds:

- The length of wall to be demolished is 6 metres, not 4.1 metres (it has been confirmed that only 4.1 metres of wall will be demolished)
- The proposed development would destroy the whole character and setting of the walled garden area
- The proposals are contrary to Policy CS14 of the Core Strategy and Policies HE15 and HE16 of the Wrekin Local Plan

The Council's Conservation Officer is not objecting to the principle of development but is objecting to the demolition of part of the wall in order to provide the vehicular access.

On the amended scheme the conservation officer comments that it is an improvement on the original proposal as the effect on the integrity of the listed wall and enclosure is reduced by a sense of continuation of the upper part of the wall structure. She would really have preferred a narrower access through the wall ie for one vehicular width and not the two serving the private drive for 2 dwellings as this will even further reduce any impact and will reflect to a certain degree the existing pedestrian openings along the wall .

The Council's Arboricultural Officer objects to the application on the grounds that the trees bordering the application site will create heavy shading of the proposed houses, which will lead to pressures from the residents to prune these trees back.

The Council's Environmental Maintenance Officer objects to the application because it would encourage the use of an area of Apley Woods which people are being discouraged from using for conservation reasons.

The Council's Ecologist has no objections but is recommending that an Informative is attached to any permission stating that if any protected species are encountered during building works, that development is halted and a licensed ecologist and Natural England are contacted for advice.

The Council's Drainage Engineer has no objections subject to a condition restricting the run-off rates of surface water from the site.

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

Shropshire Wildlife Trust objects to the application on the grounds of degrading an area of green space which is already grappling with issues of visitor pressure. The proposals do not offer any mitigation measures or enhancements to offset these negative impacts.

West Mercia Police Crime Risk and Architectural Liaison Officer objects to the application on the grounds that another access into and out of the site, albeit pedestrian only, will increase the risk of crime and anti-social behaviour. (This access gate has now been deleted from the application).

#### 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

HE15 – Demolition of Listed Buildings. This states that the Council will strongly resist the demolition of Listed Buildings and Structures in the District.

LDF Core Strategy

CS1 – Homes

CS5 – District and Local Centres in Telford

CS14 – Cultural, Historic and Built Environment

PPS1 – Delivering Sustainable Development

PPS5 – Planning for the Historic Environment

#### PLANNING HISTORY:

In April 2010 planning permission and Listed Building Consent was granted for the erection of 18 dwellings, and the construction of a new vehicular and pedestrian access through the wall of the former kitchen garden of Apley Castle (ref:W2010/0011).

## PLANNING CONSIDERATIONS:

The application site is shown as 'white land' on the Wrekin Local Plan, where residential development is acceptable in principle. As the site is within the Telford boundary and is under 0.4 hectare it can be classified as a windfall site, and therefore complies with Policy H6 of the Wrekin Local Plan.

The Council's Conservation Officer does not object to the principle of development as historical research has found that the application site was once an integral part of the curtilage of the walled garden of Apley Castle, and the pedestrian gate into the southern part of the site still exists. In addition, a precedent has already been set for development adjacent to the wall by the erection of a dwelling – the Gardener's Cottage – to the west of the application that is also outside the walled garden. However, the access to this property is around the outside of the wall. Therefore, the setting of the wall has been compromised to a certain degree by other development around the wall.

Furthermore, there are no objections to the proposed development in terms of its design, appearance, form, scale, massing, proportions, details, and materials.

However, following further historical research officers have concerns about the demolition of a 4.1 metre wide part of the wall to provide the vehicular access into the site leading to the proposed dwellings. Although planning permission and listed Building Consent have been granted for the erection of 18 dwellings within the walled garden which entails demolishing part of the wall fronting the road, it should be noted that the original site for the vehicular access, in the centre of the northern wall, was rejected because of the detrimental effect it would have visual character of the wall, and the sense of enclosure it creates. The amended access along the western wall was considered more acceptable, and the development was approved with a condition that the existing Listed wall be repaired, and so safeguarded for the future.

The Design and Access Statement of the present application refers to the proposed development enhancing the current fabric of the wall, whilst retaining and improving its setting. However, officers consider that the significant physical alteration to the wall, with the new vehicular opening, which in effect forms a continuation of the housing development inside the wall, is such that it alters both the character of the Listed wall and its original purpose for continuous enclosure. The Listed structure would therefore not be enhanced but will, to the contrary, lose its integrity as a complete enclosing structure, and its intrinsic character would be compromised.

It is now considered that the development of the site can only be supported if an alternative means of access can be provided outside the walls, (as there is no objection to the two dwellings per se) and providing that all other planning considerations are acceptable.

Whilst the amended scheme, showing the archway instead of total demolition, goes some way to reducing the opening and maintaining some sense of enclosure with the brickwork above the archway, officers still consider that the sense of continuous enclosure is still broken. Therefore, officers consider that the proposed development will adversely harm the historic fabric and setting of the Listed wall.

RECOMMENDATION: REFUSE PLANNING PERMISSION on the following grounds:

1. The Local Planning Authority considers that the demolition of part of the wall of the former walled garden of Apley Castle to provide vehicular access to the proposed development would have a detrimental impact on the appearance of the wall, which is a Grade II Listed structure, and would have an adverse effect on the prevailing integrity and intrinsic character of the structure. The proposed development is therefore contrary to PPS5, Policy HE15 of the Wrekin Local Plan, and Policy CS14 of the LDF Core Strategy.

TWC/2010/0134

Watkins Nursery, Apley Castle, Telford, Shropshire, Erection of 2no. dwellings with demolition of 4.1m section of wall to allow vehicular access to site

**APPLICANT**

Shropshire Homes Limited,

**RECEIVED**

26/04/2010

**PARISH**

Hadley and Leegomery

**WARD**

Apley Castle

**CASE OFFICER**

Phil Baker

THE PARISH COUNCIL AND COUNCILLOR BLUNDELL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS AT PLANS BOARD

MEMBERS WILL RECALL THE APPLICATION WAS DEFERRED AT PLANS BOARD ON 14<sup>TH</sup> JULY 2010 AS A FURTHER CONSERVATION APPRAISAL WAS BEING SOUGHT

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development and Impact on Listed Wall.

This is the Listed Building application in relation to TWC/2010/0133 which is the previous item on the Plans Board agenda.

RECOMMENDATION: REFUSE LISTED BUILDING CONSENT on the following grounds:

1. The Local Planning Authority considers that the demolition of part of the wall of the former walled garden of Apley Castle to provide vehicular access to the proposed development would have a detrimental impact on the appearance of the wall, which is a Grade II Listed structure, and would have an adverse effect on the prevailing integrity and intrinsic character of the structure. The proposed development is therefore contrary to PPS5, Policy HE15 of the Wrekin Local Plan, and Policy CS14 of the LDF Core Strategy.

TWC/2010/0302

Saint Marys RC Primary School, Coronation Crescent, Madeley, Telford, Shropshire, TF7 5EJ

Erection of new security fencing

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

11/06/2010

**PARISH**

Madeley

**WARD**

Madeley

**CASE OFFICER**

Andrew Mackriell

OBJECTIONS RECEIVED: No.

MAIN ISSUES: The impact of the fence on the amenities of the surrounding area.

**THE PROPOSALS:**

This is an application for a new boundary fence to improve security in the school grounds. The proposed fence would be a metal vertical bar 'single point' type to a height of 1.8 metres and 2.1 metres in part, and finished in green.

**SITE AND SURROUNDING AREA:**

Saint Mary's RC Primary School is situated adjacent to the Coronation Crescent housing estate to the north of Madeley centre. The site slopes down from north to south so that the school buildings situated at a lower land level than the playing fields. On the eastern boundary the school site is bordered by the Silkin Way footpath and cycle track. This boundary is generally verdant with maturing trees and vegetation. On the west boundary of the playing field there is a 1.6 metre maintained hedge adjoining Coronation Crescent.

**PLANNING POLICY CONTEXT:**

LDF Core Strategy:

Policy CS15 Urban Design

Wrekin Local Plan:

'Saved' Policy UD2

'Saved' Policy OL3 Green Network

'Saved' Policy OL4 Development in the Green Network

PPS1 Delivering Sustainable Development

**CONSULTATION RESPONSES:**

Madeley Parish Council support the application in principle.

Telford & Wrekin Council's Highways Officer has no objections, and the Council's Engineer recommends informatives regarding ground conditions on the site.

The Council's biodiversity officer recommends appropriate protection for any tree roots.

There is an issue regarding a National Grid gas pressure line on the site and the Council's surveyors are aware of this.

#### PLANNING CONSIDERATIONS:

The school grounds and the adjoining Silkin Way footpath are situated within the Green Network and the main planning issue in this case is the visual impact of the fence on the amenities of the surrounding area. The lower fence height of 1.8 metres is considered appropriate for the west boundary of the playing fields adjoining Coronation Crescent. The new fence would be positioned in front of the hedge, where it would have some impact due to it being of slightly greater height, however the hedge would be retained, and overall it is considered that the appearance would be acceptable. There are existing green-painted 1.8 metre metal fencing and security gates at the school entrance.

The 2.1 metre fence would be located on the north side and part of the eastern boundary at the foot of the landscaped bank adjoining the Silkin Way, where it would be relatively unobtrusive.

The boundary fence would provide increased security on the school site and is of a satisfactory design and appearance which would match the existing vertical bar fencing on the school site and would have little impact on visual amenities in the surrounding area. The siting of the fence would not detract from the general objectives of Green Network policy.

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

A04 Standard time limit

C38 Development in accordance with deposited plans

Ground condition informatives: I17, I20

#### REASONS FOR APPROVAL:

The proposed boundary fence would provide increased security on the school site and would be of a satisfactory design and appearance which would not have a significant impact on visual amenities in the surrounding area. The fence would not detract from the function and appearance of the Green Network in the area.

TWC/2010/0349

Town Park, Hinkshay Road, Malinslee, Telford, Shropshire, TF3 4AQ  
Proposed single storey visitor centre (Use Class Sui Generis)

**APPLICANT**

Telford and Wrekin Council

**RECEIVED**

27/07/2010

**PARISH**

Great Dawley

**WARD**

Malinslee

**CASE OFFICER**

Emma Green

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of development and the Green Network, impact on character and appearance on area, trees and ecology.

**PROPOSAL:**

The creation of a new single storey visitor centre (use class sui generis), to replace the existing visitor facilities at Spout Farm House. The existing centre is proposed for demolition to facilitate the new Southwater redevelopment scheme. The new building is a part of a wider project within the Town Park for improvements to facilities and attractions.

The building is to be single storey wooden structure with off white panels. The maximum measurements are 19.3m by 18.3m, and will comprise of the following facilities; toilets and baby changing facilities, information desk, café/refreshments area, staff room and office, all within Phase 1. The second phase is for an educational space and bicycle hire facility. The development has a phasing option to allow for flexibility to reflect issues in relation to funding options for this new facility.

**SITE AND SURROUNDINGS:**

The application site is within the Telford Town Park, which is 170 hectares of park land with a mix of woodland, grass land, water bodies, gardens and play facilities.

The site is currently grass land adjacent to the hard surfaced area used by the fairground located to the west. Withy pool is located to the south, Spout Pool and the play facilities are to the north, and the replica Norman chapel and arena are located to the east. There is a row of semi mature trees located to the immediate west of the proposed building on the boundary line to the fairground area.

The Silkin Way as a formal right of way is adjacent to the site, and there are a number of other foot and cycle ways through the park. There is car parking provision to the south off Dark Lane, and to the north in the Town Centre and adjacent to Telford International Centre.

**PLANNING HISTORY:**

There is no relevant planning history.

**PLANNING POLICY:**

National Planning Policy:  
PPS 1 Delivering Sustainable Development

## PPS9 Biodiversity and Geological Conservation

### Core Strategy:

CS4 Central Telford

CS10 Community Facility

CS11 Open Space

CS15 Urban Design

### Wrekin Local Plan:

OL3 Green network

OL4 Development in the green network

OL5 Extensions and redevelopment in the green network

OL6 Open Land

OL11 Woodlands and trees

UD2 Design Criteria

LR1 Provision of community facilities

### CONSULTATION REPONSES:

The Council's Highways Engineer supports the proposal.

The Council's Drainage Engineer supports the proposal subject condition regarding sustainable drainage.

The Council's Ecologist raises no objections, subject to conditions. The new building does not increase or support biodiversity, and the design of the building gives no opportunity for bat roosts or birds nests, impose a condition for bat/bird and invertebrate boxes for wildlife enhancement. Tree removal as part of this scheme should be outside nesting season and subject to replacement planting.

The Council's Arboricultural Officer the siting of the building under the willow canopy and close proximity to tree belt will result in the loss of these self set semi mature trees. This loss can be mitigated through conditions for replacement planting within the wider park. The tree removal will open up views of the mature tree belt to the east and frame the new buildings in a woodland setting.

Great Dawley parish Council supports the proposal.

National Grid notes that there is high or intermediate pressure gas apparatus in vicinity of building, and no works or crossings can be carried out without detailed consultation. Recommend informative regarding safe working practices.

Comments are awaited from: The Council's Geotechnical

### KEY ISSUES AND PLANNING CONSIDERATIONS:

#### Green Network and Principle of Development:

The green network is an interlinked system of green spaces, which are afforded significant protection under the local plan and provide informal and formal recreational facilities along with ecological and visual impact benefits. Saved policies OL3, OL4 and OL5 of the Wrekin Local Plan protect the land from development which is not predominantly open or is not for a community or ecological

benefit. The proposed visitors centre will enhance the role of the Town Park as valuable sports, recreation, open space, ecology and leisure asset. It will be a facility for the local community, as well as wider population and other visitors to park. It is considered that the wider community and education benefits that the building will offer are sufficient to mitigate the limited impact of this new structure upon the green network, and will offer a complimentary services to the function of the green network in this location and is therefore consider to accord with 'saved' policies OL3 OL4 and OL5 of the Wrekin Local Plan.

The siting of the visitor centre is in close proximity to the main visitor attractions within The Town Park and walking distance of the Town Centre. There are a number of footways and cycle routes adjacent to the building, and a reasonable level of car parking provision within close proximity. It is considered that the siting is appropriate for the function of the building and will serve the needs of the community and visitors and is acceptable in principle as it accords with the provisions of policies LR1 of the Wrekin Local Plan and CS4 and CS10 of the Core Strategy.

Impact on character and appearance of area:

The scale, mass, design and siting of the building have been carefully considered to be located close to facilities and amenities within the park and close to the Town Centre. It also has regard to the immediate context with regards to the chapel, allowing it to maintain the open setting which it currently benefits from. The modern design is in stark contrast to the existing chapel building and is considered appropriate and will not detract from the chapel or the surrounding park. The use of wood will ensure that the building will weather and blend with the surrounding over time. The building is single storey to allow full accessibility to all sections of the community, and has sufficient circulation space and separate access for toilet facilities, all of these are to overcome issue with the existing facility. It is considered that the proposed building accords with the guidance and principles in 'saved' policy UD2 of the Wrekin Local Plan, policy CS15 of the core strategy and PPS1.

Trees and Ecology:

The proposed building is to be located adjacent to a number of semi-mature trees and a mature Willow. The removal of these will be necessary and will ensure that there are no safety issues in terms of falling limbs from the Willow Tree. The building will continue to be framed by the mature tree belt to give it a woodland setting, so the loss of these trees will not have an adverse impact on the visual amenities of the area.

With regards to ecology, the new building does not increase or support biodiversity, and the design of the building gives no opportunity for bat roosts or birds nests. Furthermore, the loss of trees could mean loss of habitat for birds and bats. This can be mitigated through a scheme for replacement planting and installation of bat and bird boxes in the immediate vicinity of the building. Also given the close proximity to the water bodies and building occupying existing grass land, invertebrate boxes will be of benefit to ensure no adverse impact to ecology. These works can all be secured through the imposition of appropriate conditions. It is therefore considered that the proposal accords with 'saved' policies OL11 of the Wrekin Local Plan and guidance in PPS9.

#### Conclusion:

The visitor centre is appropriately located with regards to the amenities within the park and within close proximity to the Town Centre. It can be accessed through a variety of modes of transport. The design and facilities are inclusive for all sections of the community, and provides enhanced features from the existing facility, by being a single storey building. The community function of the building are complimentary to the aims and function of the green network in this location and are considered acceptable to mitigate the loss of incidental open space in this location in accordance with policy. The impact on trees and ecology can be adequately mitigated with use of appropriate conditions. The siting and design of the building are appropriate within the context of the site and accords with policy and guidance.

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

1. A04 - Time Limit
2. B06 – Samples of materials
3. B33 – Surface Water Drainage
4. B76 – Tree Replacements
5. B80 – Site Environmental Management Plan
6. BCustom – Details of ecology habitat boxes
7. C38 – Development in accordance with deposited plans
8. I05 – Separate Advertisement Consent
9. I25 – Birds
10. ICustom – National Grid Guidance
11. I40 – Conditions
12. I41 – Reasons for Grant of Planning Permission

#### REASON FOR APPROVAL:

The visitor centre is appropriately located with regards to the amenities within the park and within close proximity to the Town Centre. It can be accessed through a variety of modes of transport. The siting and design of the building are appropriate within the context of the site. The design and facilities are inclusive for all sections of the community, and provides enhanced features from the existing facility, by being a single storey building. The community function of the building are complimentary to the aims and function of the green network in this location and are considered acceptable to mitigate the loss of incidental open space in this location. The impact on trees and ecology can be adequately mitigated.