

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 26<sup>th</sup> January, 2011 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

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

**ALSO PRESENT:** Councillor I.T.W. Fletcher (for planning applications TWC/2010/0009 and TWC/2010/0638), Councillor V.A. Fletcher (for planning applications TWC/2010/009 and TWC/2010/0638) and Councillor E.J. Greenaway (for planning application TWC/2011/0013)

#### **PB-73      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on Wednesday, 5<sup>th</sup> January, 2011 be confirmed and signed by the Chairman subject to those ‘Also Present’ being amended to include Councillor I.T.W. Fletcher (for planning application TWC/2010/0745).

#### **PB-74      APOLOGY FOR ABSENCE**

Councillor R.T. Kiernan

#### **PB-75      DECLARATIONS OF INTEREST**

None.

#### **PB-76      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PB-77      SITE VISITS**

None.

#### **PB-78      PLANNING APPLICATION FOR DETERMINATION**

- (a) TWC/2010/0009 – Land adjacent to The Shires, Shifnal, Road, Priorslee, Telford, Shropshire

This was an outline application for the erection of 5 detached dwellings and garages, together with site access, on land between Glendale and The Shires. Matters relating to layout, scale, appearance, and landscaping would be considered at the Reserved Matters stage. Councillor I.T.W. Fletcher, Ward Member, had requested that the application be considered by the Plans Board.

The application site, approximately 0.4 hectare in size, was almost regular in shape and covered by scrubby vegetation with several clusters of mature trees, some of

which were subject to Tree Preservation Orders. A small part along the southern boundary was designated as Green Network on the Local Plan.

One letter had been received from a local resident who had concerns relating to the position of the septic tank. St. George's & Priorslee Parish Council had no objections subject to the retention of the boundary wall to retain the heritage of the site, and to the replanting of suitable trees to replace those that were felled. Council consultees had no objections to the application subject to appropriate conditions, as set out in the report.

As most of the site was shown as 'white land' on the Wrekin Local Plan, residential development was considered to be acceptable in principle and the site had the benefit of an extant planning permission granted to Telford Development Corporation (TDC) in 1985. The site, which lay within the built-up area of Telford and within a predominantly residential area, was considered to be large enough to accommodate 5 detached dwellings, as shown on the notional layout plan submitted with the application.

Although the site was subject to a Tree Preservation Order, the Council's Arboricultural Officer had stated that many of the trees were self set with only a few being worthy of retention. The notional layout plan showed the retention of all the significant trees and tree protection measures would be secured through the imposition of relevant conditions, as would replacement planting to mitigate for the loss of any trees that would be felled.

The vehicular access point would be located near to the north-east corner of the site, where the ground level was at a similar height to the adjacent road. The Council's Highways Engineer was satisfied with the proposed access arrangements, subject to conditions relating to the provision of visibility splays, off-site highway works, and a new raised table junction scheme.

Due to the rear boundary of the site being approximately 50 metres from the M54 Motorway a noise assessment had been carried out in accordance with the guidelines set out in PPG24 – Planning and Noise. Whilst the noise levels were generally considered acceptable for residential development, it was recommended that all the dwellings should have double glazed windows incorporating an appropriate glazing specification to guarantee a good standard of internal amenity in living rooms and bedrooms and ensure that the internal noise levels within the proposed dwellings complied with the relevant British Standards Code of Practice.

Councillor V.A. Fletcher, on behalf of St. George's & Priorslee Parish Council, raised concerns at the potential loss of the heritage wall and trees on the site both of which were intrinsic features of the area. Councillor I.T.W. Fletcher, Ward Councillor, supported her comments and asked that appropriate conditions be imposed to require any trees covered by Tree Preservation Orders to be replaced, if it became necessary to fell them, and to ensure the retention of the dry stone retaining wall. In addition, he requested that appropriate conditions be imposed to regulate the installation of the septic tank. Mr. Pugh, the owner of Glendale, raised concerns at the proposed location of the septic tank on the site, its impact upon his own property,

the nature of the ground conditions, and the potential problems arising from the narrow site access.

In response the Planning Officer informed the Board that a requirement to retain as many of the trees on the site as possible could be incorporated into the landscaping condition and an appropriate condition included to retain the dry stone wall. With regard to the concerns expressed on the ground conditions, the Drainage Officer had raised no objections and the exact location of the septic tank would be dealt with at the Reserved Matters stage.

**RESOLVED** – that with regard to planning application TWC/2010/0009 outline planning permission be granted subject to the conditions as set out in the report and to additional conditions relating to the retention of the drystone wall and the retention of trees in the landscaping condition.

(b) TWC/2010/0585 – 42 High Street, Hadley, Telford, Shropshire

This application related to the change of use of the land at the side of and behind the property from a van rental storage facility to a used car sales area. When first submitted, the application included a Block Plan showing a total of 25 cars to be parked on the site but an amended plan had reduced this to 22 cars, including 4 visitor/staff spaces. The site was currently vacant and comprised an office, small kitchenette area, and toilet which, although part of the building, was only accessed from the yard and was only for use by staff on site. Vehicular access was through existing gates in the north-west corner of the site.

Hadley & Leegomery Parish Council had requested that the application be considered by the Plans Board and had submitted objections, as outlined in the report. However, no individual neighbour consultation responses had been received and the Council's Highways Officer had no objections to the application.

In 1992 planning permission (W91/1024) was granted at appeal to change the use of the site to provide a hire and storage area for cars and light commercial vehicles and, in 2008, the Council had received complaints that there had been an unauthorised change of use to car sales with vehicles not only parking within the site boundary but over-spilling onto the adjoining roads, pavements, grass verges, and car parks, thereby creating highway safety problems. In 2009 planning permission (W2009/0101) was refused for a change of use of the land from van rental to car sales, as set out in the report.

In submitting this application the new site owner had stated that he would operate the site less intensively than the previous owner and would endeavour to avoid the problems previously experienced. The amended Block Plan showed that a maximum of 22 cars could be accommodated within the site without over-spilling onto adjacent roads and pavements, the layout and number of which would be the subject of planning conditions.

The Council's Highways Officer had no objections to the application as the principle of use of the site for car storage had previously been established and it would be difficult to argue that the proposed use would generate any significant increase in vehicular use. He was satisfied with the provision of 4 visitor/staff spaces within the

site, particularly as there were a number of public car parks close to the site. However, as the highway outside the site was adopted and yellow lined, any associated parking issues could only be enforced by the police and not by the Local Authority.

It was considered that the proposed use would not adversely affect the visual amenities of the locality or generally be harmful to the character and appearance of this part of the District Centre as the site was partly screened by existing boundary planting. Furthermore, this use would not detract from any proposed redevelopment of Hadley Centre. There was likely to be only low levels of vehicular movements associated with the use in and around the site and access into and out of the site entrance would not jeopardise highway safety. Furthermore, being located in a highly sustainable location adjacent to the bus station would enable potential visitors to travel to the site by public transport.

Colin Potts, Clerk to Hadley & Leegomery Parish Council, spoke against the application and referred to the objections made by the Parish Council, as summarised in the report. Carl Huntley, agent for the applicant, acknowledged the previous problems experienced with the site but said that the current application had been carefully considered, including the site and visitor parking, to ensure there was no impact outside the curtilage of the site. The applicant was mindful of the regeneration plans and the site was well-screened from the High Street. He drew the Board's attention to the fact that all relevant Council officers had raised no objections to the application including the Highway's Engineer.

Councillor M.J. Smith, Ward Councillor, stated that the site created a bottleneck which would be increased by visitors parking at the entrance rather than using public car parks elsewhere in Hadley, views which were supported by Councillor R. Aveley, Ward Member, who was also concerned that the proposal would adversely affect the intended regeneration of Hadley.

Having listened to the objections raised by the Parish Council and local Ward Members, the Chairman said that he had concerns regarding visitor parking to the site given that the adopted highway outside the site was yellow lined. These concerns were supported by Councillor D.R. Chaplin.

On being put to the vote, there was no proposer and seconder for the officer recommendation to approve the application. A proposal, as seconded, that the application be refused was approved unanimously.

**RESOLVED** – that planning application TWC/2010/0585 refused for the following reason:

- 1. The Local Planning Authority considered that the Applicant had provided insufficient information to demonstrate that the number of vehicles proposed could be accommodated within the application site and would not lead to overspill parking/display of vehicles for sale on adjoining land, public highway, footpaths and car parks. The proposed car sales business was considered unacceptable and would be detrimental to highway safety and the character and appearance of the**

**area. Accordingly, the development was contrary to Policy CS15 of the Core Strategy DPD Adopted December 2007, Policy UD2 of the Wrekin Local Plan 1995-2006 and national guidance contained in PPS1 and PPS6.**

**2. The Local Planning Authority considered that the proposed change of use would potentially have a detrimental effect on the future regeneration of Hadley**

**(c) TWC/2010/0627 – Ironstone Square, Lawley, Telford, Shropshire**

This application requested reserved matters approval for a mixed-use local centre consisting of a food store of 3,287 sq.m. gross, a further 2875sq m gross comprising 12 small units for retail or other commercial uses, a stand-alone retail unit east of the food store, a day nursery, public house and 12 two bedroom flats above the shops adjacent to the main food store, 11 duplex apartments and 16 houses with associated landscaping and infrastructure works. The application site lay to the north of West Centre Way and formed part of a larger scheme for the development of a local centre at Lawley.

As part of the planning proposals, a Development Framework Plan and Design Codes had set down principles which had been adopted by the developers. The Development Framework set out areas for mixed use development around Lawley Square i.e. north and south of the re-aligned West Centre Way and along 'Main Street', a proposed road running almost parallel to Lawley Drive to the north and south of Lawley Square.

Since the proposals were originally put forward in 2003, the economic climate had changed considerably and the applicants had had to depart from the strict requirements of the Design Codes in order to make the development financially viable and meet the requirements of the end users and to this end negotiations had been held with officers over a period of 2 years. The floor space to be provided for the different forms of commercial and office use, as set out in the Planning Statement accompanying the outline application, had not been formally agreed as part of the permission and the applicants had provided a table that demonstrated the changes made in the current application.

The design of the buildings was contemporary in form and feel to create a new modern high quality local centre and would be constructed using a mix of brick, render and timber elements with prominent roof pitches to help to distinguish the buildings together with glazing to provide interest and an active frontage. The whole development had been linked by a landscaping scheme inspired by the mining industry, to provide a high quality, sustainable and attractive environment which would incorporate high quality hard landscaping elements. The landscaped areas within the application site would be maintained by the developers.

In terms of access to the local centre, the principles set out in the Development Framework had been developed through the Primary Infrastructure works but it had been decided to retain and improve the current temporary Gresham Drive link to

West Centre Way. As the development was brought into use the traffic lights on the currently unused junctions on West Centre Way would be brought into operation.

In terms of sustainability the development had been designed to meet BREEAM Very Good and the residential units to meet Code level 3 for Sustainable homes. In addition, the development should also meet the requirements of Secure by Design.

The outline permission required 25% affordable dwellings some of which had to be designed to meet SDS standards. However, the issue of the viability of the development in the current economic climate remained to be resolved and the applicants had submitted a viability assessment that needed to be fully considered. This issue was covered by the S106 Agreement for the whole of Lawley and was currently under discussion and any changes would be brought back to the Board for consideration.

The update report tabled at the meeting informed the Board that some minor amendments to the submitted plans had now been received relating to the Nursery. In addition the update report stated that the proposed car park for the public house would affect the line of an existing bridleway and require its diversion, as shown on the appended map. This re-alignment, which formed part of planning application TWC/2010/0826 for the roads and infrastructure required to service the current application had not yet been finalised for consideration but had been discussed with all user groups and considered to be acceptable. The works for the diversion would take place before the existing route was closed. No objections had been raised by the Highways Officer in respect of either application subject to the conditions set out in the update report.

In response to a question from Lawley & Overdale Parish Council regarding there being no planning application for a Community Centre, the update report informed the Board that the outline planning permission had envisaged that such community facilities would be provided as part of the new primary school to be provided south of West Centre Way through the S106 Agreement. Unfortunately, there was no provision for this within the S106 Agreement and, as a result of the slow down in the number of dwellings that were being built and issues of financial viability for the Lawley development, the timing of the school had been put back to September 2014 at the earliest although this date was under review.

The Head of Housing & Planning said that this was a very significant development for Telford and was an example of the public and private sectors working together. Members welcomed the application which the Chairman commented that it was very well thought out.

**RESOLVED – that with regard to planning application TWC/2010/0627 the Head of Housing & Planning be authorised to grant approval of Reserved Matters subject to conditions to include the matters listed in the update report.**

(d) TWC/2010/0638 – Pigeon Box Inn, Priorslee Road, Telford, Shropshire

This was an application for full planning consent for the erection of 27 dwellings and associated highways works. The site, approximately 0.8 hectares in size, comprised

the now derelict public house fronting Priorslee Road and its amenity and parking area to the rear, which was accessed to the east of the public house.

The Council's Highways Engineer had raised concerns relating to some small elements, as set out in the update report tabled at the meeting, but had now confirmed that they were acceptable subject to appropriate conditions. In addition, he had requested a contribution of £5,000 towards the installation of a tactile dropped kerb facility and associated remedials at crossing points between Priorslee Road, Snedshill Way and Church Road. Following receipt of an amended landscaping plan, the Council's Arboricultural Officer had raised no objection to the scheme, subject to conditions, but had expressed concerns relating to the hedgerow and post-development ownership. St George's & Priorslee Parish Council had commented that its original grounds of objection were still valid, as outlined in the main report. 5 individual letters of objection had been received, as summarised in the main report.

The principle of development had been established in 2009 following the granting of planning consent for 31 residential dwellings subject to a S106 agreement. (W2008/0550). Unfortunately, the owner had not signed the Agreement and the consent had, therefore, not been issued. However, on the Agreement's completion, planning permission would be issued. Since 2009 the owner had marketed the site and the current application had been submitted by the prospective developer with the proposed density having been reduced from the previous approval to 21 dwellings per hectare.

The site outlined for development had no formal allocation in the Wrekin Local Plan and the building was not considered to be one of local interest; subsequently the site could be considered for residential development in accordance with Windfall Policy H6. The development site was within 220m of a regular bus route and in close proximity to the town centre and other facilities and, therefore, was considered to be located in a sustainable area.

The proposal would replace the derelict public house and develop the associated parking and amenity area. There were no rights of way through the site and its current condition did not provide any form of amenity to the surrounding area. Some note worthy trees on the site were subject to Tree Preservation Orders and a mature hedge provided a soft natural boundary to the development site. These constraints had influenced the layout and design of the scheme as had the areas of noise constraints and the character, scale and form of the properties surrounding the site.

The access to the site was via Priorslee Road through the existing public house access, the location of which had been dictated by the root protection area of the protected trees, and the need for the development to have a presence on Priorslee Road, allowing the development to form part of the street scene through an active frontage provided by plot 1. A secondary access to the development from Telford Way was not required nor would be supported as this would prejudice the safety and free flow of highway users.

The applicants had been requested to amend Plot 1 with a hipped roof but, as set out in the report, they had been unwilling to do so given the design of adjacent

properties. It was recognised that this was a difficult plot to design for due to the narrow constraints of the site and the submitted design, whilst not perfect, was considered acceptable. Amendments had been received for the front boundary to a small wall with hedging, reflecting that of the surrounding area, and in relation to plots 2, 3, 12 and 13, as detailed in the update report.

Plots 19-26 ran north to south adjacent to Telford Way, which was the main amendment to the previous scheme and the two apartment blocks had been removed thus taking away the 3 storey focal point around the central access. The emphasis of the development to Telford Way had been reduced by the detachment of plots and the introduction of rear amenities bounded by brick walls for plots 22 and 23. The agent considered that, as there was no view or footpath crossing to Telford Way, the previous approach was not warranted. Whilst officers did not agree with this approach, for the reasons set out in the report, it was not considered sufficient to warrant a refusal.

The Acoustic Report, as outlined in the officer report, recommended a noise mitigation scheme for the submitted layout to include acoustic glazing and acoustic ventilation to the units of appropriate specification. Acoustic fencing was also recommended to the rear and side boundaries of dwellings to protect their external amenity areas, which was considered appropriate and in compliance with PPG24.

Concerns had been raised by officers with regard to the established hedgerow and the proposed boundary fencing, as detailed in the main report. As the proposal would sit adjacent to a residential development to the north, it was considered these were not required but should be subject to this development proceeding. Therefore, it was recommended that this be controlled by a condition to install the fence prior to occupation if the site to the rear had not been developed with the ability to remove this if development had occurred, allowing the occupant to benefit from the established boundary hedge. The update report informed the Board that the works to the hedgerow would be those solely within the developer's ownership and not on the adjacent land.

Planning application W2008/0500 had attracted a number of objections on the grounds of drainage due to localised flooding from drains during heavy rainfall and the Board had resolved to include offsite drainage alleviation measures in the Section 106 Agreement. However, since that date, Severn Trent Water had investigated and removed the blockage of the surface water drains and, subsequently, this application had attracted less objections and the Section 106 Agreement was no longer warranted. An updated Flood Risk Assessment had been received and the update report confirmed the capacity of the site by the use of a hydrobrake device, as conditioned in the main report.

Whilst the site had been previously developed, it was considered that the level of contamination was relatively low and, therefore, remediation of any contamination issues could be adequately conditioned. In compliance with Policy H6 officers were satisfied that the development could be adequately accessed, provide sufficient parking, be adequately drained, remediated of any contamination, was located in a sustainable area and would not have an adverse impact on the local environment by virtue of its use or the proposed design.

In line with Policy H23 the developer had been requested to provide 30% affordable housing, split between 20% social housing and 10% shared equity, and had now agreed to provide 8 affordable housing units in the mix set out in the update report. Policy LR6 requested the provision of outdoor recreational play facilities on new residential development but, as this proposal did not meet the requirements to provide onsite play facilities, a request for £600 per dwelling towards the upgrade of play facilities in the immediate area had been requested and agreed by the applicant. Policy T22 required developments, where necessary, to provide the necessary improvements to meet the transport needs of the development, in this instance a crossing on Telford Way, and the applicant had agreed to £5,000.

Councillor V.A. Fletcher, on behalf of Priorslee & St. George's Parish Council, spoke of its concern on the over-development of this area, the lack of play facilities, and the single point of entry/exit. She also expressed concerns regarding the ongoing flooding in the area and the impact of the development upon its green space and amenities. Councillor I.T.W. Fletcher spoke as Ward Councillor and said that he had grave concerns regarding the ongoing water and sewerage problems which needed to be completely resolved before the development was started and also made reference to the access issues in relation to 1 Freeston Terrace. In conclusion, he requested that, as the application site fell within the Priorslee Ward area, the S106 Agreement stipulate that the £600/house contribution to leisure and recreation facilities be used within that area.

Karen Bignall, a local resident informed the Board of the noise levels from the A5 together with that of the proposed development, the restricted access for vehicles, and the issues relating to the layout of Plot 1 and the impact on her own property, reducing the safety of vehicles entering and exiting the driveway immediately opposite No. 1.

John Freeman on behalf of the applicant, responded that the proposed scheme had reduced the number of units to 27 from the 37 previously approved and confirmed that the existing hedgerows would be retained. The Flood Risk Assessment and Drainage Survey had been accepted and he considered that the surface water was due to the underlying clay. It was not in the developer's interest to develop a site with sewage present and he assured the Board that this issue would be resolved.

Councillor H. Rhodes asked if the drainage issue had been resolved and the Planning Officer explained that Severn Trent Water had found and dealt with a broken manhole cover. There was no provision for drainage works in the S106 Agreement before the Board, as it was considered that this issue had been resolved as set out in the update report. Tanks with a large capacity were to be installed on the site with a restricted flow but once the contents reached the main sewer, it was no longer the developer's responsibility. In addition, the Council would seek to ensure that the appropriate mitigation was in place on the proposed development to prevent it from having an adverse impact on the site. Several Members raised issues regarding the outfall from the disused collieries in the area but the Planning Officer assured them that the Contaminated Land Officer had not raised any issues to the development of the land.

The Head of Housing & Planning emphasised that a higher density scheme had previously been approved by the Board and that the issues of drainage and sewerage had been considered under that application. These issues were the responsibility of the relevant utilities and the role of the Local Planning Authority was to ensure that the development did not exacerbate any existing problems and that appropriate remedies were in place.

With regard to Councillor I.T.W. Fletcher's request that the S106 Agreement monies for leisure and recreation be restricted to use in Priorslee, the Council's Solicitor explained that the Agreement had already been drafted but could be amended as necessary and the Head of Housing & Planning said that the Planning Officer would speak to an appropriate colleague in Leisure & Recreation to ensure that Councillor Fletcher was consulted on the location that would best meet the needs of his Ward.

**RESOLVED – that with regard to planning application TWC/2010/0638 the Head of Housing & Planning be authorised to grant planning permission subject to the applicant entering into a Section 106 Agreement to provide financial contributions for £53,292.80 towards primary education, £600 per dwelling toward Leisure and Recreation to be spend within the Priorslee Ward, £5,000 towards a pedestrian crossing facility, and the provision of 8 affordable units and to the conditions as set out in the update report tabled at the meeting.**

(e) TWC/2010/0705 – Land at Wildwood, Woodrows, Woodside, Telford, Shropshire

This was an application by Telford & Wrekin Council for planning consent for the creation of 40 additional parking spaces throughout Woodrows, Wildwood and Woodside Avenue, together with alterations to several footpaths in the area. The residential area was 'Radburn' in design and the majority of garages and parking facilities fronted the highway so dominating the street scene. A number of vehicles mounted the pavements and parked on grassed area to the front of their properties due to the lack of parking facilities, thus causing considerable damage to the Council maintained lawned surfaces.

Madeley Parish Council supported the proposals for the second phase of the Woodside North Regeneration. The Council's Highways Engineer had originally raised concerns with regard to the distance behind spaces but, following these having been amended to provide 6m behind each space, he now supported the application. Objections had been received from 3 neighbouring properties including the potential for anti-social behaviour, as summarised in the report.

The proposal, whilst providing 40 additional spaces in total, would provide 3-9 vehicle spaces in any one area close to the proposed residential users and well related to the surroundings. Whilst one area of parking was protected by Green Network Designation, the proposal would only pocket a small slither adjacent to the highway, where on-street parking was common, and a reduction in the level of such parking was, therefore, acceptable as it would improve highway safety on a main access road.

Whilst neighbour comments had been noted, planning was not able to control the level of vandalism which currently occurred but it could ensure that any proposal had natural surveillance to design out crime. In this regard, the proposals were located in areas which were naturally overlooked by adjacent properties and, as the proposal did not include any fencing around the spaces, it would not create any alley ways where anti social behaviour could occur. With regard to concerns over noise disturbance, the proposal formed small areas of additional parking which were located adjacent to existing parking areas and, subsequently, the proposal would not increase the current level of noise. It was, therefore, considered that the proposal would not have a detrimental impact on the residential amenities of the surrounding properties and complied with Core Strategy Policies CS8 & CS15 and Wrekin Local Plan Policy UD2.

The update report, as tabled at the meeting, informed the Members that a petition against the scheme had now been received signed by 8 local residents. With regard to the objections received from 29 Woodrows, the Regeneration Manager had confirmed that, whilst these concerns had been considered, it had been concluded that they were outweighed by the wider benefit to the area. However, the additional parking spaces adjacent to this property could be reduced if required but would reduce the overall benefit of the scheme.

Kimberley Pool, a local resident, raised a number of concerns relating to nuisance, noise pollution, and safety arising from the proposal with regard to the site adjacent to 29 Woodrows. She also pointed out that some of the existing spaces were under-utilised due to people preferring to park on the road. A number of her comments were supported by other local residents in the public gallery.

The Head of Housing & Planning responded that the regeneration of Woodside was an important priority for the Council and consultation had been undertaken with local residents. Unfortunately, Woodside had been planned and laid out in a particular way and he advised the Board that the recommendation to approve the overall scheme be supported. However, if Members had concerns relating to the parking spaces proposed adjacent to 29 Woodrows, then they could delegate authority to him to renegotiate an amended scheme to take account of the views expressed at the meeting and to approve the overall scheme.

Councillor D.R. Chaplin agreed with the concerns expressed by local residents and, whilst accepting the importance of the regeneration of Woodside, welcomed the opportunity for the issues raised to be discussed with relevant officers. Councillor G.M. Green added that there did not appear to be an equitable distribution of parking spaces with regard to 29 Woodrows.

**RESOLVED – that with regard to planning application TWC/2010/0705 the Head of Housing & Planning be authorised to discuss and resolve with Council Officers the concerns raised by Members about the number of spaces proposed adjacent to 29 Woodrows and to grant planning permission when the issue had been resolved**

(f) TWC/2010/0778 – 30 Haygate Road, Wellington, Telford, Shropshire

This application sought planning permission for the change of use of half of the existing vacant retail unit, use class A1, to a Community Boxing Club, use class D2. The application site comprised a detached, single storey, modern, flat-roofed red brick building with vehicular access off Alexandra Road and a small parking area for approximately 5 vehicles. The site was located approximately 180 metres to the west of Wellington District Centre in a mixed residential and commercial area.

Wellington Town Council had objected to the proposals on the grounds summarised in the report. One letter of objection had been received during local consultation relating to parking.

The Wellington Amateur Boxing Club was a 'community-led' organisation aimed at providing positive activities linked to boxing for young people in Wellington. It had been formed following community engagement which had identified the lack of positive activities for young people in the College Ward. Through boxing, the Club aimed to address issues of anti-social behaviour and community safety within the Wellington area and it was anticipated that the discipline and training required to take part in boxing would contribute to the health and wellbeing of those who participated. In addition, the Club had identified a number of residents who currently had to travel to train in similar facilities in Shrewsbury. The Club was supported by Richie Woodhall (Olympic and Commonwealth medal winner), who had been appointed as Lead Coach and Chair of the Boxing Club, and it was applying for Charitable Status and, as such, would be a non profit organisation.

The application form identified that there would be 1 part-time employee but it was envisaged that local residents would run the Club thereby developing their skills in both running a community-led organisation and in coaching. It was proposed that the Club will operate 5 evenings per week with 2 morning sessions on a Saturday morning with some scope for training sessions during the school holidays. Consequently, the proposed hours indicated on the application form stated 10am to 9pm Monday to Friday, 10am to 2pm Saturday with no training on Sunday or Bank Holidays, which would cater for occasional school holiday day sessions. Having regard to the previously approved hours of operation of the adjacent unit, it was considered that the proposed hours of use were acceptable.

The comments received had been noted but the Highways Engineer had raised no objections to the proposal as it did not alter the existing access or reduce the car parking facilities and the site was in a highly accessible location close to the District Centre and associated public transport, public car parks, and within walking distance of a bus route with a regular service. Haygate Road had a mix of residential and commercial uses and, whilst it was noted that this was a sensitive location close to established housing, it was considered that the proposed use would have no further adverse impact on adjoining residential amenity than the existing retail use which had no controlled hours of operation in terms of vehicle movements, noise and disturbance. Accordingly, the proposal complied with Policy CS5 & CS10 of the Core Strategy

Mrs. Sherrel Fikeis, the applicant, spoke in support of the application and informed the Board that an adjacent business had now made its car park available, if required. A statement from Councillor R.G. Chaplin, Ward Councillor, setting out the concerns of local residents regarding the impact of the proposal upon parking in Alexandra Road was read out by the Planning Officer.

Members welcomed the application particularly if the concerns regarding parking could now be addressed.

**RESOLVED** – that with regard to planning application TWC/2010/0778 be granted planning permission subject to the conditions as set out in the report.

(g) TWC/2010/0013 – Land at Old Park Road, near Mossey Green Roundabout, Old Park Way, Old Park, Telford, Shropshire

This was an application for a determination as to whether prior approval was required for the siting and appearance of a replacement telecommunications monopole and additional equipment cabinet.

The application involved replacing the existing 14m high Vodafone monopole accommodating 3 antennae with a slightly higher 14.8m high monopole accommodating 6 antennae to provide O2 and Vodafone with 2G and 3G coverage in the surrounding area. All the antennae would be contained within a smooth circular sheath, which would be fatter than the existing one to accommodate the additional antennae. In addition, there would be a new ground equipment cabinet measuring 1.58m in length, 0.38m in width and 1.35 metres in height. The monopole and the equipment housing would both be coloured to match the existing equipment. The applicants had stated that the proposal was required to increase 2G network capacity to the Old Park/Rock area and also to provide 3G coverage.

In May 2009 the Council had adopted a Supplementary Planning Document entitled 'Telecommunications Development' which provided guidelines relating to the Council's planning approach towards telecommunications development in the Borough, the key points of which were set out in the report.

The update report tabled at the meeting informed the Board that 5 e-mails/letters of objection had been received from local residents, a summarised in the report, and similar concerns had been raised in a letter from the Old Park Residents Association and the Ward Member, Councillor E.J. Greenaway. In addition, the update report set out additional information submitted by the applicant relating to the dimensions of the replacement mast, its power output, and the need for an additional 3G cabinet for the O2 operator.

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

The existing monopole and its associated ground equipment cabinets were situated on the open grass verge adjoining the Mossey Green Roundabout. There were numerous 12m high street lights along Old Park Way and around the Mossey Green

Roundabout and the nearest residential property was approximately 65m from the proposal site.

The applicants had stated that, when providing a new or enhanced telecommunications facility they always sought to upgrade the existing mast or pole before exploring other options. In this particular case they had established that, from a technical point of view, the existing 02 installation was a suitable location to provide the required level of 3G coverage for both 02 and Vodafone. A pre-application consultation letter had been sent to the Council in October 2010 but the applicants had stated that this consultation exercise was not extended to other interested parties because only a replacement pole was being proposed. On the basis that the proposal was for the replacement of an existing pole and was a mast sharing opportunity, the applicants had confirmed that no other telecommunications installations, buildings, and other structures within the required coverage area were considered.

The proposed pole would be marginally higher than the existing structure and needed to be slightly wider in order to accommodate the 3 extra antennae. By utilising an existing installation, albeit with a fatter profile, the current proposal would reduce the need for additional street furniture and prevent the proliferation and introduction of new masts into the wider area. The column would retain its slim-line profile and shrouded antennae in order to minimise the visual impact of the development.

The replacement monopole would not be significantly visually different from the existing monopole and, therefore, would not be an alien feature in the street scene, nor significantly visually intrusive. Its location within the grass highway verge would not form an incongruous or unduly prominent feature on the skyline or on the street scene. There was no fenced compound proposed and it was normal to find various types of electrical equipment cabinets and relay boxes sited alongside urban roads. Therefore, the overall impact of the installation on the street scene was considered to be acceptable taking into account that there was a similar structure in location already.

There was much public concern relating to the possible adverse health impacts of telecommunication development. However, Members were advised that consideration of the application should follow the advice given in PPG8, paragraph 98 i.e. "...it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them." The main report informed the Board that the requisite ICNIRP certificate had been submitted with the application and had confirmed that the site and the proposed emissions would comply with the appropriate guidelines.

Therefore, the proposed replacement monopole was considered an acceptable installation in this urban residential area, where the appearance of a slimline

monopole would not detract from the character of the area or be significantly different from the pole it would replace. Furthermore, proximity to dwellings was not a planning issue provided that the application included an ICNIRP Declaration regarding emissions, as did this application, and the installation satisfied normal planning considerations regarding the siting and appearance of development.

Councillor E.J. Greenway, Ward Councillor, expressed concern at the lack of consultation with local elected members and residents. The existing site was clearly visible being only 1 m from the highway, and this would be worsened by the replacement mast being higher and wider. If approved, the mast would be visually dominant to both residents and highway users.

These views were supported by John Fowler, a local resident, and Paul Edwards of the Old Park Residents Association, who considered that the applicant had failed to justify the need for the replacement shared mast.

In response, Robert Sarson, agent for Vodafone, said that upgrading an existing mast rather than erecting an additional stand-alone mast, was in line with both Planning Policy Guidance 8 and the Council's planning policy guidelines and could be achieved with only a small increase in height and an additional cabinet.

The Head of Housing & Planning informed the Board that the consultation period on the application did not end until the 1<sup>st</sup> February 2011 but due to the constraint of the 56 day period, it was necessary to make a decision at the meeting. As the consultation period had not yet ended, he advised the Board that there could be additional responses which they would not be able to take into account when making a decision. The public speakers had identified issues relating to the height and width of the proposed mast and the additional cabinet and he asked Members to consider whether these changes would be more noticeable than the original mast.

Councillor F.R. Picken commented that the health issues surrounding masts were an important factor for many people and Councillor R. Aveley commented that the proposed mast would be intrusive and Councillor H. Rhodes suggested that it be resited closer to the hedgerow. Having listened to the concerns expressed by the public speakers, Councillor D.R. Chaplin said that he was concerned that local residents had not had an opportunity to put forward their views within the available time scales.

The Head of Housing & Planning advised the Board that if it was minded to refuse the application having heard the strong local feeling against the replacement mast, the application had the option to either appeal the decision or to submit a revised application and/ or a revised site.

The Chairman concluded that he was also concerned at the lack of courtesy shown by the applicant in not consulting local residents and allaying their fears. He had grave reservations about a taller, wider mast with a total of 3 cabinets.

Following the debate on the application, Members were minded not to support the officer recommendation that prior approval be given.

## **DETERMINATION:**

The Local Planning Authority considered that the proposed 14.8 metre high telecommunications pole with antennae and equipment cabinet will be unacceptable by reason of being visually intrusive in this location due to its height and siting. The proposed replacement mast would be higher, bulkier and have an extra cabinet and would therefore be materially different to the existing approved mast. Accordingly the proposal is considered contrary to Policy 21 of the Wrekin Local Plan, Supplementary Planning Document “Telecommunications Development” and national guidance in PPG8 Telecommunications.

### **PB-79      URGENCY RESOLUTION – SECTION 100B(4), LOCAL GOVERNMENT ACT 1972**

The Chairman made the following statement:

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

### **PB-80      ADJOINING LOCAL AUTHORITY CONSULTATION (SOUTH STAFFORDSHIRE)**

This proposal, submitted to South Staffordshire Council, was for the erection of six wind turbines complete with foundations, anemometer mast, underground cable network, crane hardstandings, access tracks, temporary construction compound, switchgear house and ancillary structures to generate electricity from wind energy. The construction, operation and decommissioning of the proposed wind farm would be some 27 years. The turbines would typically generate as much electricity as was used by 6,585 local households and would avoid emissions of some 15,755 tonnes of carbon dioxide. Each installed turbine would have a maximum height of up to 126 metres to blade tip 80 metres to hub, with an anemometry mast height of about 80m and a rotor diameter of 92 metres. Access would be from the A5 (Watling Street) from the south through two minor roads that led to Blymhill and Brineton to the site itself. The application site area was some 149ha, although only 4m would be lost to agriculture from the construction of site infrastructure and a proposed bypass.

South Staffordshire Council had consulted Telford & Wrekin Council on the proposal as an adjoining local authority as the application site was just over 2km east of the Borough/Staffordshire administrative boundary and had landscape implications for Telford & Wrekin. All consultation to local residents, statutory and other relevant consultees was being carried out by South Staffordshire Council as the determining local planning authority.

The only observations made in the report to the Plans Board related to any material planning considerations that concerned Telford & Wrekin Council, namely landscape, but there would be many more relevant material planning considerations to be considered by South Staffordshire when they determined the application.

At ground level the site was essentially flat and, looking west towards the Borough, the top of The Wrekin Hill could be observed above a roughly north-south sandstone ridge extending north of Sheriffhales to Health Hill, Woodcote Wood and Pave Lane, all south of Newport. The ridge, which was mainly arable farmland with some wood areas, effectively screened the majority of Telford & Wrekin from the application site at ground level. Potential landscape and visual impact of wind farm developments were important considerations, particularly given the size of the wind turbines in this case which extended to 126 meters to blade tip. PPS22 provided specific guidance on assessing landscape impact and local planning authorities needed to consider factors such as national designations, landscape character areas, landscape sensitivity, landscape and visual analysis and cumulative effects. The applicant had undertaken a landscape analysis in the Environmental Impact Assessment that accompanied the application. In considering visual and landscape impact, there would be many aspects that needed to be taken into account, including the impact on nationally designated landscape areas and locally designated landscape areas, the impact on settlements and isolated dwellings, the impact on major transport routes and rights of way and impacts on areas of recreational and tourism value.

The landscape analysis recognised that there would be some significant landscape effects within the immediate landscape setting, around 2-3 km from the wind turbines, but that these would diminish rapidly beyond 3 km. Officers did not agree with those conclusions or that the significant visual and landscape impacts would be limited to a relatively small area.

However, the maps in the report showing the zones of theoretical visibility indicated that there were collectively large tracts of land in Staffordshire and Shropshire, including Telford & Wrekin and parts of the western area of the West Midlands Conurbation, where up to 5-6 turbines could potentially be seen. This was a potentially significant visual effect for the West Midlands Region and particularly so for areas closer to the wind farm.

As an aid for Members, the Sinclair-Thomas Matrix set out in Table 1 of the report had been used at several wind farm public inquiries, both in the UK and overseas, and represented a useful albeit simplistic guide to the likely visual effects of wind turbines when viewed at varying distances.

Kynnersley (a viewpoint) was within an area of Special Landscape Area and The Wrekin Hills (viewpoint) was within the Shropshire Hills Area of Outstanding Natural Beauty, both of which were protected from the effects of inappropriate development by policies of the adopted Core Strategy and the saved policies of the Wrekin Local Plan. Added to this the substantial parts of the urbanised areas of Telford and Newport, together with other rural areas from which the wind turbines would be visible, there was an unacceptable adverse impact on the landscape setting of Telford & Wrekin as well as other local authority areas.

It was, therefore, concluded that the proposed King Street Wind Farm was contrary to policies CS12 and CS13 of the adopted Core Strategy, and saved policies NR1, NR2 and OL2 of the Wrekin Local Plan.

**RESOLVED** - that South Staffordshire Council be recommended to refuse the application since the proposal would have an unacceptable adverse effect on the landscape of Telford & Wrekin by being contrary to policies CS12 and CS13 of the adopted Telford & Wrekin Core Strategy, and saved policies NR1, NR2 and OL2 of the Wrekin Local Plan.

**PB-81            EXCLUSION OF PRESS AND PUBLIC**

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

**PB-82            DELEGATED AUTHORITY – TOWN & COUNTRY PLANNING ACT**

To report of the Head of Housing & Planning informed the Board that an Enforcement Notice was served on the 3<sup>rd</sup> February 2010 in relation to the unauthorised siting of a residential mobile home on the open land identified in the report. No appeal was lodged against the Notice and, consequently, the Notice was required to be complied with by the 7<sup>th</sup> April 2010. The mobile home has not been removed despite the land owner being convicted on two separate occasions in the Telford Magistrates Court for non-compliance with the Enforcement Notice. The unauthorised residential mobile home was still in situ and the Enforcement Notice had not been complied with.

Section 178 of the Town and Country Planning Act 1990 allowed the Council to enter land and take steps to secure compliance with an Enforcement Notice. The usual route of seeking compliance was to prosecute in the Magistrates' Court but, as two convictions had not secured compliance, direct action was a reasonable next step.

**RESOLVED** – that the Head of Housing & Planning be authorised for direct action pursuant to Section 178 of the Town and Country Planning Act 1990 namely the removal of the residential mobile home identified in the report and any debris and material arising from its removal.

The meeting ended at 9.14 p.m.

**Chairman:** .....

**Date:** .....

# TELFORD & WREKIN COUNCIL

## PLANS BOARD

16<sup>TH</sup> FEBRUARY 2011

Schedule 1 - Planning applications for determination by Board
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TWC/2010/0152 Redhill Clay Pit, Redhill Way, St Georges, Telford, Shropshire  
Reserved matters for the erection of 337 dwellings, NEAP, Balancing pond, associated highway and landscaping works

**APPLICANT**

Lands Improvement

**RECEIVED**

27/04/2010

**PARISH**

St. Georges and Priorslee

**WARD**

Priorslee

**CASE OFFICER**

Valerie Hulme

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Design, impact on residential amenity, slope stability, highway safety, drainage, landscape maintenance.

**THE PROPOSAL:**

The proposal seeks reserved matters approval for residential development following the approval of outline planning consent in 2005. The original outline application covered approximately 17.4 hectares, including a large ecology park to the west of the site and the access from Redhill Way to the east. Both the ecology park and access have been approved and completed prior to the submission of this application. This reserved matters application encompasses the remaining site, covering approximately 11.79 hectares, providing 337 dwellings.

The mix of dwellings includes 9 x 1bed; 113 x 2bed; 139 x 3bed; 76 x 4 bed dwellings; of which 69 units will be affordable.

The application also seeks approval for the Neighborhood Equipped Area of Play (NEAP), the balancing pond and the landscaping of the remaining site.

**SITE AND SURROUNDINGS:**

The application site comprises the former Redland Quarry which lies to the west of Redhill Way. Redhill Clay Pit is located on the northern slopes of a localised high point on the north eastern edge of the main built up area of Telford and immediately to the north of St. Georges.

The site is characterised by steep contours which form a bowl within the centre of the site. The steepest slopes occur to the southern and south easterly boundary where the landform rises by approximately 18m. The landform generally falls south to north towards the existing pond feature, standing at 171m AOD (Above Ordnance Datum) to 140m AOD; the site then rises to 145m AOD on the northern site boundary. The site has been subject to extensive remodeling to create a platform for residential development.

The surrounding area is predominantly residential in character. Modern residential areas abut the site to the north and south; St Georges Sports and Social Club also adjoins this southern boundary with the hockey pitch and associated lighting standing at the crest of the adjoining slope. The

completed ecology park adjoins the western boundary, with residential areas beyond this. Vehicle access to the site is via the newly constructed roundabout from Redhill Way which encloses the site on the eastern boundary.

#### HISTORY:

W2003/1316 – Residential development; Outline Granted 20/12/2005 subject to a legal agreement to provide the following:

- Education contribution of £1231 per dwelling, for St Georges Primary School
- Safe routes to school contribution of £50,000, linking the development with St Georges Primary School
- Leisure Contribution of £15,000 towards the provision of upgraded facilities within 600m of the development
- Community Contribution of £35,000 towards St Georges Sports and Social Club
- Traffic signaling contribution of £10,000, towards traffic lights at the junction of Wrockwardine Wood Way and St Georges Road
- To complete and transfer the ecology park to the Council and provide £255,000 for future maintenance.
- To complete and transfer the play area to the Council and provide £218,615 for future maintenance
- To provide emergency access to the site via Rookery Road
- 20% Affordable Housing, tenure to be agreed dependant on grant funding available.

W2006/0651 – Formation and laying out of ecology park including earthworks, path, bridleways, landscaping and creation of new ponds; Reserved Matters Granted 22/08/2006.

Currently being determined in addition to this application:

TWC/2010/0722 – Variation of Condition 2 of Planning Permission W2003/1316 to allow 10 years from date of outline permission for submission of reserved matters.

TWC/2010/0731 – Residential development of Phase 1 for 50no. dwellings with associated parking (Reserved Matters).

#### POLICIES:

Telford & Wrekin Core Strategy DPD 2007

CS1 Homes

CS3 Telford

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open Space

CS12 Natural Environment

CS13 Environmental Recourses

CS15 Urban Design

Wrekin Local Plan 1995-2006 (Saved Policies)  
H7 Large Scale Regeneration exceptions  
UD2 Urban Design Criteria  
OL2 Designated areas  
OL9 Species Protection  
EH14 Land Stability  
LR4 Outdoor recreation  
LR6 Developers contributions to open space

SPD Design for community safety June 2008

PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transport  
PPG14 Development on Unstable Land  
PPS23 Planning and Pollution Control  
PPG24 Planning and Noise  
PPS25 Development and Flood Risk

**CONSULTATION:**

Highways: Originally raised concerns over the development including the amount of unallocated spaces to allocated spaces. Most issues have been resolved and minor details can be resolved through the S38 technical audit for the adoption of the highways. Some further minor details are required, but can be dealt with through condition. Request for residential travel plan has not been made due to the age of the original outline planning consent, and cannot be justified.

Environmental Engineers: awaiting final response

Drainage: awaiting final response

Land Contamination: No objections – conditions already attached to outline consent.

Environmental Health: No response received

Arboriculture/ Environmental Maintenance: Concerns over the lack of variety for soft landscaping; with regard to pond adoption some concerns over the planting surrounding the same. Both elements require additional/ revised information which can be conditioned.

Ecology: No Comment

Leisure & Recreation: Requested further information with regard to the equipment proposed. Raises no objection to the scheme, subject to conditions regarding the finish of the manhole, and RoSPA post inspection report prior to adoption.

The Fire Authority: has raised no objections to the development subject to

informatives

St Georges & Priorslee Parish Council Support the scheme. They have also stated that

Councillor I Fletcher (Ward Member and Parish Councillor) agreed to raise the need for the provision of youth facilities from the Section 106 monies along with the removal of the Portacabins at St Georges Primary School following an extension to the school to allow for the increased population resulting from building an additional 337 houses.

Cllr Fletcher has raised concerns that there is a need for adequate support to the effect on local schools and bus services.

3 individual letters of objection have been received. These raise concerns on the grounds of:

- Volume of traffic already using Redhill Way is high without the addition of a further 400 cars.
- Existing problems accessing Checkley Lane at peak times will be exasperated.
- Concern over the quantity of new homes in Telford and the strain on already overstretched public services.
- The roofs of the proposed properties are level with the existgin rear gardens on Lords Drive, as such the carbon emissions and smoke from the chimneys on the properties will effect these units.
- Concerns over noise form proposed dwellings on existing residential amenity.

1 letter raises no objection only concern that building work should not be on Sundays.

#### PLANNING CONSIDERATIONS:

The principle of residential development was established under the outline planning application in 2005. The S106 agreement ensures appropriate contributions mitigate against the approved development; subsequently the concerns raised by St Georges Parish Council and the Ward Member have previously been considered and are not a matter for this application.

The outline application established a number of core urban design principles. These core principles addressed:

1. Sustainability: Various elements of the development layout and urban form, such as a permeable network linking public transport, open space and local facilities and pedestrian and cycle friendly streets to encourage sustainable travel and avoid car dependence.
2. Ease of Movement: The street network is of great importance in the development of the site. It proposed to arrange the street network around a formal or main street enclosed by buildings with streets of a more local character into residential areas. Each street would contribute to creating an interconnected network to ensure that there is a choice of routes to promote efficient and direct journeys.
3. Character and Form: The layout and form of the development would

respond to the key characteristics of the site, identified as woodland/vegetation, water and topography. The woodland/vegetation will form an integral part of the development framework as open space and formal areas. The central lake will also form a key focal space within the layout and be enhanced as a recreational resource. The development should seek to identify and maximise opportunities for landmark or corner buildings, views and focal points. These features across the site will help create identity and legibility across the site.

4. Continuity and enclosure: The type of urban form encouraged was one that distinguishes between public and private space. The concept of a continuous building frontage around the edge of the block, known as the perimeter block, was considered the fundamental basis for achieving this. Buildings are placed to front the street and form a well defined building line with the private back to the rear.
5. Legibility: The area should be arranged around one primary street with smaller streets leading off into residential areas which will be easier to understand because they have familiar and recurring incidence. The development pattern should also incorporate specially designed buildings to mark important corners, entrance points and gateways.
6. Traffic Movement: Traffic management will be integral to the urban form and this will be achieved through a variety of means. Cars will be required to behave in a manner which is conducive to a pedestrian friendly environment. A permeable network of streets will be the key factor to achieving this.

As required by the outline consent the reserved matters application considers these points in addition to the revised masterplan prepared in June 2008, and proposes a development that reflects a mix of dwelling types and creates a sequence of focal spaces which responds to the surrounding topography and context.

### Design

The proposal includes seven character areas:

- 1 The Pond: Family housing and apartments, with views over the wetland feature;
- 2 Entrance Square: Family housing apartments acting as focal points to the development;
- 3 Central Green: Larger Family housing with open views over the central green;
- 4 Boulevard: three storey housing allowing tree lined boulevards, situated in the centre of the site;
- 5 Mews Courts: Small housing arranged in mews courts, on secondary streets through the development;
- 6 The Octagon: Larger family units facing shared surface octagon, allowing views in all directions over surrounding countryside;
- 7 Country Edge: Larger units facing open space, longer views and the NEAP

Key features within this application site include the balancing pond, the 'high wall' on the southern edge of the residential development and the NEAP.

Lower density development is proposed to the south of the site at the peak of the development site. Higher density town houses are located adjacent to the high wall, and apartments are located adjacent to the balancing pond. There is a broad mix of dwelling type and tenure throughout the site.

The development is predominantly two storey, with varying ridge heights throughout the development dependant on the design of the building. Three storey buildings are proposed within key areas mainly acting as focal points for example on the entrance to the site, around the balancing pond and overlooking the NEAP. The proposed scheme addresses the aims of the masterplan providing a permeable scheme with active street frontages overlooking the public realm.

Amendments to the house types have been received following concerns over the design of the buildings, including the use of a 55 degree roof pitch. The steep pitch has been reduced to 40 degrees, and 50 degrees on some feature properties. The house types are varied, and considerable thought to the designs of each property is evident in the street scenes. An obscure plot has been redesigned to meet the needs of potential residents in addition to addressing street scene issues providing natural surveillance. Natural surveillance from a number of properties has also been increased following the relocation of kitchens to the rear of buildings and lounges to the front; there is now a variety of rooms which overlook the public realm rather than the large number of kitchen windows which were originally submitted.

The proposal now comprises of a development which respects and reinforces the character of St Georges Victorian heritage. Key features are replicated, using painted brickwork, feature gables, feature porches, dormer windows, feature bay windows, feature chimneys, stone headers and brick corbelling. Roof detailing also includes brick parapets at key junctions, adding interest to the roof line as rows of terrace buildings descend with the ground levels. It is acknowledged that the development will not be carried out by the applicant; however it is considered that future developers should continue these features through each phase to ensure that the development is not disjointed.

Retaining walls are a feature throughout the development; amendments were requested to make use of the front retaining walls creating feature elements and providing some enclosed frontages. As yet this has not been addressed, however it is considered further consideration should be given to this aspect and subsequently conditioned.

#### Highway Network

Access into the site is from the new roundabout on the eastern boundary of the site. Emergency access only is via Rookery Road to the north west of the development site. A loop road from the central access acts as the main vehicle route; speed restraints are proposed on this highway to ensure highway safety, including road deflections, material changes, and shared surface squares.

Secondary routes branch off the main loop road; these routes are intended to

be used with the pedestrian as priority, introducing home zones and shared surface mews courts; these routes are designed to reduce speed to 15mph. It should be noted the road through the centre of the site opposite the access road is a secondary route, where vehicles are deterred from entering this area, by a change in hard surfacing and road narrowing. The vehicle movements through the site are split to move north or south using the loop road, subsequently reducing the volume of traffic that could have used this central highway. This emphasis on pedestrian over vehicle is encouraged, and will assist on creating a high quality character for the development.

Due to significant gradient constraints there are only a few pedestrian 'only' links. Pedestrian routes are located on the western boundary into the adjacent ecology park, around the NEAP and Northern boundary allowing access onto Rookery Road. A small central footpath is located adjacent to the landscaped area in the centre of the site.

Parking throughout the site is mixed to allocated and unallocated, which has allowed flexibility to the design of streets and the extent of highway adoption. There are a total of 483 spaces allocated for private accommodation, 69 spaces allocated for affordable accommodation and 40 unallocated spaces, totaling 598 spaces, equating to 1.8 spaces per private units and 1 per affordable unit. This provision has increased since the submission of the application. Garages have been included as this provision and subsequently require a condition to restrict this use; and with the exception of a few plots visitor parking will have to be accommodated on the highway. Highways Officers have raised no objection to this method or the quantity of provision.

The extent of the highway boundary is yet to be agreed, however is being considered; consideration is also being made to the layout for highway drainage, services and utilities. It is considered that these matters can be resolved during the Section 38 Technical Audit and by condition.

#### Play area and Landscaping

Consideration has been given in this reserved matters application to the ecology park on the western boundary and the need to retain a pedestrian link into this area, in addition to respecting and reinforcing the existing landscape and topographical structures, including the existing waterbody, banks and tree belts on the periphery of the site. Consideration has also been given to the need to provide a high quality landscape throughout the development, achieving a secure external environment that provides natural surveillance and also acts as safety measure.

There are four main areas of open amenity proposed within this reserved matters application, a NEAP, a balancing pond, the southern slopes, and the area within the centre of the site.

The NEAP located in the northwestern corner of the site, was identified in this location on the outline planning application providing facilities for the whole development. The proposed NEAP includes a skateboard park, a multi use games area (MUGA) and a separate area for 9 individual pieces of play

equipment. A 30m buffer zone is achieved between the MUGA and the Skateboard Park with the adjacent dwellings, and a 20 m buffer is achieved from the equipped play area. Both the MUGA and Skateboard Park will utilize the existing site levels, being separated from the equipped play area by a 1m high grassed bank. The buffer zone to these areas will be utilized as informal open space.

Consultation with the Councils Leisure and Recreation Officer has led to a revised design which the Royal Society for the Prevention of Accidents (RoSPA) has confirmed acceptable. This element is now considered acceptable subject to conditions including a request for a RoSPA Post Installation Inspection Report prior to adoption

The existing pond to the north of the development site will be retained; however it is now a smaller feature to provide storage for storm water required by the proposed development. The proposed design has been reviewed prior to submission by RoSPA, and is accompanied by a Water Safety Review. The initial design included an island feature, however concern was raised by RoSPA that children would swim to the feature and consequently was removed. Concern has been raised by the Councils Environmental Maintenance Officer in terms of the slope design and maintenance which surrounds the pond. Subsequently it has been requested that a fence and deterrent planting is installed around the pond, and signs are displayed indicating deep water. It is considered that these negotiations can be continued and dealt with by condition. This area is to be adopted in accordance with the S106 agreement.

The third area of open amenity lies to the south of the site on the slopes of the high wall. These will be planted with a grass/ wildflower mix akin to that on the site entrance which has been recommended by the Council. This area is to be adopted in accordance with the S106 agreement.

The fourth area of open amenity lies in the centre of the site which contains a capped mineshaft. It is proposed this area will be a grassed, and 4 large street trees planted accompanied by 3 benches. This area has not been put forward for adoption, however may be at a later date at the developers own discretion. As the site will be developed by a number of developers, who are likely to make amendments to some areas, it is considered this is acceptable. However a management plan for this area should be put forward if this is not adopted.

Landscaping has been thoroughly considered by the applicant; hard surfacing within the development takes a number of forms, emphasizing the difference in public and private realms, in addition to providing speed restraints. Other elements of landscape design include the use of timber bollards on the western boundary of the development site between the ecology park and the residential development which respects and reinforces the character of the adjacent use. There are however some concerns with the lack of planting variety on the site, some proposed locations, and the root barriers for initial tree stability; these can be overcome through condition.

### Contamination

Remediation of the site was conditioned under the outline planning application. A site investigation determined the remediation strategy for the reclamation works which were carried out in 2008. In summary the mineshafts have been grouted and capped; a hotspot of contamination was encountered and material was removed from the site. Standpipes have been installed to measure below ground gases, and further detailed testing on material will be carried out where required to suit the residential developers proffered foundation solution. The contaminated land officer has raised no issues to the development as this was suitable conditioned in the outline application.

### Drainage

Surface water drainage has been limited by Severn Trent Water to 230l/sec for a 1 in 30 storm into the public sewers, the remaining water including the 1 in 100 year storm plus climate change is to be stored on site and slowly discharged into the system. The Councils Engineers have raised no objection to this aspect and have also requested two storage tanks under the central area of green space, in principle these elements are acceptable, however at the time of writing the report confirmation on some minor aspects of the calculations were awaited, and shall be finalized prior to member's consideration.

### Slope stability and mine shafts

Detailed discussions have been undertaken during the course of this application and further information has been submitted. Final comments from the Councils Environmental Engineers are awaited, and shall be presented to Members of Board in the update.

### Noise

A noise impact study accompanies the application, assessing the changes of the proposed development from that previously assessed under the outline application, taking account of:

- A closer build line adjacent to Redhill Way, now approximately 30m for the edge of the highway;
- A roundabout with an access road to the site leading off, being placed north/east to the site on Redhill Way.

This concludes that within the previous scheme all properties fall within Noise Exposure Category (NEC) B, and the proposed scheme would fall within NEC B during the daytime and NEC B/C during the night time. Subsequently it is recommended that thermal glazing, and ventilators are used in addition to acoustic fencing adjacent to the embankment; this is considered acceptable and formal details to be submitted through conditions.

### Other matters

A visual appraisal of the application site accompanies this application, as required by the outline planning consent; this identifies views to and from the site. This identifies the key receptors in the local areas are public rights of way and residential areas which immediately bound the site. The views from the wider areas include the existing developed edge of Telford to the south and

south west. Views from the north are limited to those elevated vantage points to the north east, including Lilleshall Hill and Pitchcroft Lane. The proposal is a high quality design, and subsequently is considered acceptable for this location. The condition also required an assessment of the existing local vernacular styles; this was addressed in the Design and Access statement and subsequently reflected in the proposed design.

An archeological watching brief has been submitted to address the outline planning consent. As remediation has been completed this explains no archaeological features or deposits earlier than 19<sup>th</sup> Century mining and industrial remains were noted, and if these did once exist these would have been removed by later mining and extraction activities.

With regard to affordable housing, the S106 agreement south 20% provision with tenure to be agreed. The applicant has identified certain plots which are likely to come forward as these units; the design of these units has been considered within this application to ensure these maintain the high quality of development which is proposed throughout the site.

With regard to the consultation comments of local residents, the principle of development has previously been considered. Highways considered the adjacent highway can support the increased volume of traffic, whereby works have been carried out. With regard to the carbon emissions from the properties, such issues will be considered through building regulations. Smoke form these properties will not exist as these are imitation chimneys. Impact on existing units from noise will be minimal as the use is residential, complementing the surrounding area. Hours of work have previously been considered and conditioned on the outline application, prohibiting work on Sundays and bank holidays.

### Conclusion

In conclusion, it is considered that the application provides a sustainable development that respects the character and form of the surrounding residential areas. The character and form of development responds to the key characteristics of the site and the surrounding area, providing key junctions and features throughout the site, in addition to responding to the gradients of the site. Landscaping distinguishes public and private spaces, and also provides key features. The proposed development is legible, through the combination of the road design, landscaping and building design. Traffic movement is managed through the design of primary and secondary roads, creating a pedestrian friendly development and will not prejudice highway safety.

The proposed residential development will not adversely affect any exiting or proposed dwelling by virtue of residential amenity, and adequate parking and amenity spaces have been provided. Furthermore the proposal responds effectively to the land changes within the site. Adequate play facilities are contained within the NEAP and will not have an adverse effect on residential amenity.

It is therefore considered that the proposed development addresses the core principles of the outline application, and meets the criteria contained within local and national planning policy.

RECOMMENDATION: GRANT RESERVED MATTERS consent subject to the following conditions:

1. A2 Time limits
2. B06 Sample materials
3. B07 Sample brick panel
4. B14 notwithstanding the details submitted, soft landscape design
5. non standard – details of enclosures, including front retaining walls
6. non standard – details landscaping, cross section of pond, signs
7. Non standard – details of access points to embankment
8. Non standard – details of highway retaining wall calculations
9. non standard – drainage discharge rates
10. non standard – management of attenuation tanks and open amenity areas
11. B44 – noise mitigation to those in NEC B/C
12. non standard – NEAP
13. D01 – removal of PD rights
14. non standard – domestic garage restriction on use

REASON FOR APPROVAL:

The application provides a sustainable development that respects the character and form of the surrounding residential areas. The character and form of development responds to the key characteristics of the site and the surrounding area, providing key junctions and features throughout the site, in addition to responding to the gradients of the site. Landscaping distinguishes public and private spaces, and also provides key features. The proposed development is legible, through the combination of the road design, landscaping and building design. Traffic movement is managed through the design of primary and secondary roads, creating a pedestrian friendly development and will not prejudice highway safety. The proposed residential development will not adversely affect any existing or proposed dwelling by virtue of residential amenity, and adequate parking and amenity spaces have been provided. Furthermore the proposal responds effectively to the land changes within the site. Adequate play facilities are contained within the NEAP and will not have an adverse effect on residential amenity.

TWC/2010/0586 4 Woodwell, Red Lake, Telford, Shropshire. TF1 5EA  
Erection of a detached two storey dwelling with detached single garage  
following demolition of existing garage block

**APPLICANT**

Mr & Mrs G Allen

**RECEIVED**

07/12/2010

**PARISH**

Ketley

**WARD**

Ketley and Oakengates

**CASE OFFICER**

Phil Baker

THE WARD MEMBER, COUNCILLOR SEAN KELLY, HAS REQUESTED  
THAT THIS APPLICATION SHOULD BE CONSIDERED BY THE  
COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Design and Appearance, Access,  
Parking.

**THE PROPOSAL:**

This application comprises the demolition of an existing garage block and the erection of a two storey dwelling, and a detached single garage, at 4 Woodwell, Red Lake, Ketley. The proposed dwelling accommodates a living room, dining room, kitchen, study, utility room, and hall on the ground floor, and two bedrooms and a bathroom on the first floor. External materials comprise rendered walls and plain clay roof tiles.

**SITE AND SURROUNDINGS:**

The application site lies within an established residential area on the edge of Red Lake in the Parish of Ketley. The site lies near the end of a cul-de-sac and is at present within the curtilage of No.4 Woodwell: part of it is occupied by two domestic garages, and the remainder is part of the large garden of this particular property.

To the east of the site lies the dual carriageway of Mossey Green Way, together with two semi-detached cottages, Nos 4 and 6 Woodwell, and to the west is a raised pit mound which was the site of a modern bungalow until some four years ago. To the north is a motor car dealership and filling station which is situated on the corner of Mossey Green Way and Holyhead Road.

To the south is an area of public open space, bisected by a footpath which would be slightly realigned if the proposed development is granted.

**PLANNING HISTORY:**

In 2009 a planning application (ref: W2009/0879) to erect a detached dwelling on this site was withdrawn before being determined.

**PLANNING POLICY CONTEXT:**

Wrekin Local Plan

H6 – Windfall sites in Telford and Newport

## UD2 – Design Criteria

### LDF Core Strategy

CS1 – Homes

CS5 – District and Local Centres in Telford

CS15 – Urban design

PPS1 – Delivering Sustainable Development

PPS3 - Housing

### CONSULTATION RESPONSES:

One letter of objection, signed by the occupants of three dwellings, has been received. The grounds of objection are as follows:

- The applicants did not obtain planning permission before erecting the two garages on the site
- It would result in overdevelopment of the area
- The proposed dwelling is not sympathetic to the character of the area
- Part of the site is the subject of a covenant that prevents it being used as anything other than open space
- The development would restrict access for emergency vehicles as they would not be able to turn round
- Adjoining dwellings would be overlooked
- An established holly hedge will need to be removed

The Parish Council has no objections to the application, but consideration should be given to protecting the mature trees on the site.

The Council's Geotechnical Engineer has no objections subject to a condition relating to shallow mineworkings.

The Council's Drainage Engineer has no objections subject to conditions relating to soakaway drainage and improvements to the existing septic tank.

The Council's Highways Engineer has no objections subject to a condition relating to the provision of the replacement parking for 4 Woodwell.

The Council's Ecologist has no objections subject to wildlife informatives relating to nesting birds, replacement planting, and the erection of bird boxes.

### PLANNING CONSIDERATIONS:

The site is shown as 'white land' on the Wrekin Local Plan, within the built-up urban area of Telford and within a predominantly residential area, where appropriate residential development is acceptable in principle.

The surrounding area comprises a loosely formed grouping of late 19<sup>th</sup> Century cottages, many of which have rendered walls and plain clay roof tiles. It is considered that the design and appearance of the proposed dwelling, with its dormer windows in the roofspace, relates positively to its context, and respects and reflects the existing properties in the vicinity of the site.

A new dwelling on this site would not adversely affect the character and appearance of the site or the surrounding area, or have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

The application site is not situated in a prominent or conspicuous location, and the erection of the proposed dwelling would barely be seen from any surrounding public viewpoint.

As part of the overall development a new car parking area for the existing house at No. 4 Woodwell would be provided off an existing vehicular access at the corner of Mossey Green Way and Quarry Lane (the presence of an untreated mineshaft and trunk sewers prevent the erection of a replacement garage). A condition would be imposed to ensure that the new parking area is fully provided before the existing garage block is demolished. Given that the existing garages will be demolished it can be clearly demonstrated that there will be no potential increase in traffic movements along this part of Quarry Lane.

There are no Tree Preservation Orders on any of the trees in and around the application site. Five small trees would be felled but these are predominantly small fruit trees which individually possess very little visual impact on the wider area. Planning conditions would ensure that the remaining trees would be retained and adequately protected by fencing during the construction period. A two metre high hedge will also need to be removed but this would be replaced by a new hedgerow along the road boundary on Woodwell. No significant excavation of the site will be required and the existing ground levels will be retained. Additional landscaping and tree planting will be carried out around the site to provide a visual foil to the proposed dwelling, and to enhance the existing landscaping that already exists.

The Council's Planning Solicitor has confirmed that the restrictive covenant that prevents the land being used for anything other than open space is not a material consideration in the determination of this planning application, and that there is no need for the applicants to secure their release from it before any permission is granted. He affirms that the release of covenants and the processing of planning applications are altogether separate matters.

In conclusion, it is considered that the proposed development is acceptable. The application site is large enough to accommodate this modestly sized house, and the size of the proposed dwelling is commensurate with the size of the site and surrounding properties. It is considered that the development can take place without detracting from the character and appearance of the site and without adversely affecting the residential amenities of neighbouring residents. The design and appearance of the dwelling respects its surroundings and there will be no increase in traffic movements along this part of Quarry Lane as a result of the development.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 – Full permission
2. B06 – Samples of materials
3. C38 – Submitted plans
4. C06 – Reveals around windows
5. B14 – Landscaping design
6. B26 – Shallow mineworkings
7. B35 – Soakaway drainage
8. Improvements to existing septic tank
9. C19 – Car parking
10. D03 – Restrictions on use of garage
11. B23 – On-site construction
12. B24 – Mud on road
13. D11 – Hours of work
14. B73 – Trees: protective fencing
15. B74 – Trees: services root protection
16. C07 – Trees: no burning
17. C08 – Trees: soil levels
18. C09 – Trees: materials storage

REASONS FOR APPROVAL:

The site is shown as 'white land' on the Wrekin Local Plan, within the built-up urban area of Telford and within a predominantly residential area, where appropriate residential development is acceptable in principle.

The application site is large enough to accommodate a detached dwelling, and the size of the proposed dwelling is commensurate with the size of the site and its surroundings. The design and appearance of the proposed dwelling relates positively to its context, and respects the existing properties in the vicinity of the site.

A new dwelling on this site would not adversely affect the character and appearance of the site or the surrounding area, or have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

TWC/2010/0644 Wesley House, 4 Station Hill, St Georges, Telford,  
Shropshire, TF2 9AA  
Conversion of former chapel from homeless hostel into 4 residential units with  
associated alterations and parking

**APPLICANT**

Telford & Wrekin Council, Matthew Haynes

**RECEIVED**

10/11/2010

**PARISH**

St. Georges and Priorslee

**WARD**

St. Georges

**CASE OFFICER**

Elizabeth Attwood

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of residential use, residential amenity, preservation of the Local Interest Building, character and appearance of the area, development in the Green Network and impact upon Biodiversity, highway safety, Land Stability.

**PROPOSAL:**

This application seeks planning permission for a conversion of former chapel from homeless hostel into 4 residential units with associated alterations and parking. The proposal also includes the removal of an earlier unsympathetic three storey rear extension to create three 2 bedroomed units and one would be 3 bedroomed unit.

**SITE AND SURROUNDINGS**

Wesley House is a former Methodist Chapel. Externally, the premises is a handsomely proportioned non-conformist style building with stained glass windows set in a pleasant memorial garden/chapel yard. The property is situated in the centre of the town of Oakengates. It is a Local Interest Building and currently disused. The rear amenity space is designated Green Network.

The building was originally built as a Primitive Methodist Chapel in 1868. It replaced a building built on Station Hill in 1847 which had to be demolished due to mining subsidence. The building was originally square in plan and of three bays and was extended to the rear with an extra bay in 1905. The chapel fell into disuse in the early 1980's and was taken over by the Telford Youth Training Agency in 1983. In 1991 the television programme 'Challenge Anneka' converted the building into a homeless hostel. The building no longer meets the current standards for such a building and is currently vacant. In order to bring the building into beneficial use it is proposed to convert the building into four residential units.

There is an existing vehicular access situated to the right (west) of the building sloping downwards to a hard standing parking area and area of amenity space beyond; the majority of the existing parking area and all of the amenity space is designated Green Network. Beyond the amenity land and outside the application boundary is a heavily wooded area with an elevated section of the A442 yonder.

The immediate area is predominately residential with a variety of ages and styles of detached and terraced single and two storey dwellings. Station Road rises steeply in an easterly direction. To the left (east) of the chapel is a traditional two storey dwelling and to the right (west) is a two storey building (previously a police station and now a Spring Board Project Centre).

#### PLANNING POLICY CONTEXT:

The following policies are considered relevant in determining this application:

Wrekin Local Plan:

EH 14 Land Stability,

UD2 Design Criteria,

OL5 Extensions and Redevelopment in the Green Network,

H6 Windfall Sites in Telford & Newport,

HE25 Buildings of Local Interest.

Core Strategy:

CS1 Homes,

CS5 District and Local Centres in Telford,

CS12 Natural Environment,

CS14 Cultural, Historic and Built Environment,

CS15 Urban Design.

National guidance:

PPS1 Delivering Sustainable Development.

PPS3 Housing.

PPS5 Planning for the Historic Environment.

PPS9 Biodiversity and Geological Conservation.

PPG14 Planning on Unstable Land.

PPS24 Planning and Noise.

#### PLANNING HISTORY:

W82/0695 Change of use from church to T.D.C. Youth Training Scheme administrative and training office Authorised under New Towns Act.

W09/0768 Conversion of training centre to a hostel for homeless young persons and ancillary offices for Telford Christian Council WDC Deemed (C.D) Plans Board Wrekin No objections 25.09.90

Extensive pre-application discussions including input from the Council's Conservation Officer have taken place prior to the submission of this application.

#### CONSULTATIONS:

A Site Notice and 13 direct neighbour letters have publicised the application; 2 representations have been received. The issues raised are:

- The neighbouring building referred to as a Police Station on the OS plans is The Springboard Project office,
- No objection in principle but raise concerns regarding on-street parking.

St Georges & Priorslee Parish Council supports the proposal, however, they have advised that it is essential that there are no alterations to the front façade.

The Highway Engineer supports the application subject to a condition requiring the provision access and parking being carried out in accordance with the submitted plans prior to occupation of the converted building.

The Geotechnical Engineer supports the proposal subject to conditions.

The Conservation Officer has no objections in principle to the conversion subject to conditions.

Drainage Engineer supports the proposal.

The Ecologist has no objections subject to informatives in respect of protected species.

Shropshire Fire Service has recommended informatives in respect of a sprinkler system and access for emergency vehicles.

#### PLANNING CONSIDERATIONS:

##### Principle of residential use

The application site is located within the built up area of Telford proposal and will create 4 new residential units. When used as a homeless hostel the building contained 9 permanent bed spaces as well as temporary overnight accommodation. The total number of beds will remain unchanged. The proposal is therefore compliant with policies CS1 and CS5 of the Core Strategy. The proposal is considered compliant with Policy H6 which allows housing development in Telford where the site can be adequately accessed and parking provided, where the site can be adequately drained and, the proposal does not have an adverse impact on the local environment, especially in its relationship with adjacent land uses.

##### Residential amenity and Highway safety

There is currently a Leylandii hedge on the eastern boundary of the site. This is in a poor condition and does not achieve adequate privacy screening between Wesley house and its immediate neighbours. It is proposed to plant a Laurel Hedge in this location, not only would this be more visually appealing than Leylandii, it would also provide the necessary screening required to avoid overlooking from the site. Moreover, the existing windows will be restored and fitted with obscured glazing to protect mutual privacy. The existing car park will be surfaced in tarmac and block paving will form the transition between the car park and the building and adequate off-street parking is providing within the site.

In order to create outside space for the residents of the building it is proposed to lower the cills of three windows on the east elevation in order to introduce French windows. In addition the existing amenity space will be retained for communal use.

A bin store will be provided (please see site plan) with room for four standard size wheelie bins, recycling bins and stacked recycling boxes, however there is also the opportunity for the residents of units one and four to store their refuse adjacent to their properties should they wish.

An acoustic report has been carried out due to the building being in close relationship to one of the main arterial roads through Telford. It is proposed that a combination of secondary and conventional double glazing is used to counteract the affects of noise. Accordingly, the proposal is considered compliant with policy UD2 of the Wrekin Local Plan and national guidance contained within PPS3.

#### Preservation of the Local Interest Building

It is evident that there are certain features of the building which must be safeguarded. This is a locally listed building and the general character has been retained in spite of some inappropriate windows and a poor staircase extension to the rear. The most significant features of the building both externally and internally are the stained glass and leaded windows which are a good example of arts and crafts design. These are to be retained and repaired and the alterations to the building have taken into account these features. The inappropriate modern uPVC mock sash windows will be replaced with timber sash windows with joinery details to match the existing windows. It is proposed to remove the modern accretions from the existing unsympathetic annex to the rear of the building to restore the building to its original form. Doing so would otherwise leave scarring of the brickwork where there were previously junctions of walls and doorways. For this reason it is proposed to remodel the annex to create a balanced elevation to the rear of the property. This will retain the existing leaded windows to the upper storey but involve inserting new windows, a stone string course and changing the pitch of the roof to echo that of the main chapel building. The internal features of the chapel include the gallery however retention of this feature would prejudice the conversion into separate residential units. It is inevitable that conversion of such buildings will result in the loss of the interior as a single open space. Uses that retain such spaces are limited in availability unfortunately, which leaves it necessary to preserve the physical features where possible and not the circulation of space as it were. Therefore, on balance the removal of the balcony is acceptable as the building has already been subdivided and a re-ordering of this accommodation will ensure the appropriate re-use of this important and prominent building. Accordingly, the proposal is considered compliant with policies UD2 and HE25 of the Wrekin Local Plan, policies CS14 and CS15 of the Core Strategy and national guidance contained within PPS1 and PPS5.

#### Character and appearance of the area

As mentioned previously the conversion will bring a disused building back in to use and the proposed sympathetic renovation will have a beneficial effect upon the building and hence a positive impact within the character and appearance of the area and the streetscene. Accordingly, the proposal is

considered compliant with policy UD2 of the Wrekin Local Plan, policy CS15 of the Core Strategy and national guidance contained within PPS1.

#### Development in the Green Network and impact upon Biodiversity

Converting the existing Chapel building results in the car park utilising the same area as the existing hard standing parking area. The Green Network land beyond that will remain unaffected and be put to use as amenity space for the residents of the building. Therefore, the proposal does not result in a loss of Green Network nor does it significantly affect the function of the Green Network in the locality. Thus the proposal is compliant with policy OL5 of the Wrekin Local Plan.

The bat and bird survey carried out on the site found no evidence of bats or birds roosting in the building, although bats do forage on the site. However, in CS12 and under PPS9, sites should be enhanced for biodiversity. To achieve this, informatives will advise that the existing broadleaved trees should be retained and bird and bat should be erected on the building.

#### Land Stability

PPG14 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.

Policy EH14 will only permit development proposals on made-up ground where there is long term stability of any structures built on filled ground.”

The mining report indicates that coal may have been worked at some point in the past at or close to the surface (shallow mining). This is also reinforced by the design and access statement that identifies that the original building was demolished due to mining subsidence. Therefore, it will be necessary to fit a gas membrane to protect the future occupants of the building and for the developer to demonstrate that the original foundations are suitable for the proposed development.

#### Other Issues

Matters raised by the neighbour opposite the site in relation to the existing on-street parking and potential on-street parking are noted however, the submitted scheme provides 6 off-street parking to the rear of the building which is considered sufficient and the Highway Engineer supports the proposed development.

#### Conclusions

The proposed development is acceptable in principle; it would result in the sympathetic renovation and redevelopment of the building and would secure the long term survival of this Local Interest Building. As a consequence the development would result in an enhancement to the character and appearance of the premises and the streetscene. The development would not have an adverse impact on the residential amenities of the neighbouring

dwellings, highway safety, the Green Network or Biodiversity. Therefore, the proposed development is considered compliant with both local and national policy and recommended for approval with conditions.

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

1. A04 Time limit.
2. B06 samples of materials (new brick, mortar, rain water goods etc.).
3. B07 sample brick panel
4. B11 details of doors and windows (1:10)
5. B26 shallow mine working
6. C19 access and parking
7. Custom damp proof membrane
8. C38 in accordance with approved plans
9. I17 minerals
10. I20 contaminated land
11. I22 protected species
12. I23a bat boxes
13. I25c bird boxes
14. I25f replacement planting
15. I25m nesting birds vegetation
16. I32 Fire Service
17. I40 conditions
18. I41 reasons for grant

**REASONS FOR APPROVAL:**

The proposal is considered acceptable and will result in a positive impact upon the character and appearance of this prominent and important building and the area. The proposed development would result in the sympathetic renovation and redevelopment of the building and would secure the long term survival of this Local Interest Building. The development would not have an adverse impact on the residential amenities of the neighbouring dwellings, highway safety, or the Green Network and presents an opportunity to enhance the Biodiversity of the area.

TWC/2010/0691 42 Meese Close, Dothill, Telford, Shropshire, TF1 3LP  
Erection of single storey porch extension to front and side, and insertion of  
dormer to front roof slope.

**APPLICANT**

Dr Robert Turnbull

**RECEIVED**

22/11/2010

**PARISH**

Wellington

**WARD**

Dothill

**CASE OFFICER**

Andrew Mackriell

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The visual impact of the proposed alterations to the dwelling  
in the street scene and on adjoining residential amenities.

**PROPOSAL:**

The application proposes alterations to the dwelling in the form of a dormer  
extension on the front roof slope and a single storey extension at the front of  
the house to provide a ground floor lavatory and canopy to the side entrance  
door.

**SITE AND SURROUNDING AREA:**

The dwelling is a two-storey end-of-terrace house situated in a residential  
area. The surrounding dwellings are of generally similar design and size.  
The front of the property faces onto an attractive area of open green space  
where there is no vehicular access but pedestrian access only. There is a  
substantial evergreen hedge at the front of the property adjacent to the  
footpath. To the rear of the dwelling is an enclosed private garden and this  
adjoins the rear access road to Meese Close which serves a garage block.

**PLANNING POLICY CONTEXT:**

LDF Core Strategy:

Policy CS15 Urban Design

Wrekin Local Plan:

'Saved' Policy UD2 Design criteria

PPS1 Delivering Sustainable Development

**CONSULTATION RESPONSES:**

Wellington Town Council: Object on the grounds that the proposals for the  
dwelling represent incongruous, unsuitable development which would harm  
the privacy of the adjoining properties.

Telford & Wrekin Council's Highways Officer has no objections

**PLANNING CONSIDERATIONS:**

The main issues are the impact of the proposed development on the  
amenities of adjoining properties and the resultant effect of the extended  
dwelling in the street scene.

The rear elevation of the house fronts a highway, however, for the purposes of the General Permitted Development Order it is not the 'principal elevation' of the dwelling, therefore, the proposed rear dormer does not require a planning application.

The proposed dormer on the front elevation would not exceed the height of the main roof and the existing eaves and roof verge would remain unaltered. The front dormer as proposed is considered to be of a size which would be subservient to the existing roof and it would not dominate the front roof slope.

Although there are no other front dormers on this part of the estate, the resultant appearance of the roof would be acceptable in the street scene and the dormer would not cause significant overlooking likely to result in harm to adjoining amenities.

The ground floor extension would effectively create an extended porch/canopy at the front and side of the dwelling, and would be of an acceptable appearance. There is sufficient distance to the adjacent dwelling, No.41, to mitigate the potential impact of this extension on the residential amenities of that property.

Therefore on balance, the proposed additions are considered to be development of an appropriately domestic scale and appearance which would not result in unacceptable harm to the amenities of adjoining properties and would not be out of character in a residential area.

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

A04 Standard time limit

C01 Materials to match existing dwelling

C38 Development in accordance with deposited plans

**REASONS FOR APPROVAL:**

The proposed front dormer and porch represent relatively minor additions to the dwelling which would be of a satisfactory design and appearance and would not have a significant detrimental impact on the residential amenities of the adjoining properties. The front dormer is of a scale and size which would not alter the character and appearance of the dwelling to the extent that it would harm the street scene.

TWC/2010/0718 Priorslee Community Centre, Priorslee Pre School, Priorslee Avenue, Priorslee, Telford, Shropshire, TF2 9RS  
Extension to existing children's pre-school play area (ADDITIONAL INFORMATION RECEIVED) (PART RETROSPECTIVE)

**APPLICANT**

Priorslee Pre School

**RECEIVED**

17/12/2010

**PARISH**

St. Georges and Priorslee

**WARD**

Priorslee

**CASE OFFICER**

Elizabeth Attwood

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Design, character and appearance of the area, amenity.

**PROPOSAL:**

The proposal is for the installation of new children's climbing frame at the rear of the community centre. The frame is plastic coated metal and has overall dimensions measuring 6.2m in length, 2.3m in width and 2.9m in height. The structure includes a tower, slide, net, walkway, connecting staircase, platform and steps. The proposal also includes the removal and relocation and extension of the existing fencing to incorporate the existing and the additional area. The proposed development will be suitable for children aged between 2 and 5 years old and solely for the private use by local children attending the pre-school classes run from the community centre.

**SITE AND SURROUNDINGS:**

Priorslee Community Centre was built in 1995 and is the daily base of the Priorslee Play Group for five days a week and is booked most evenings by local organisations including a slimming club, a Christian group and a dance group. The application site is already an informal play area and is currently grassed and there is a small vegetable patch. The area is bounded by hedging with a public footpath running alongside. Adjacent the site is a playground comprising a rubberised (wetpour) surfaced area bounded by blue painted and decorated 1.0m high timber panel fencing. Within the fenced area there is a small plastic play house and climbing frame.

The Community Centre shares the site with Priorslee Primary School and is accessed off Priorslee Avenue with parking to the front of the building. The surrounding area comprises a large modern housing estate with local shops and amenities. The Primary School has recently become independent of Local Authority control and the council is leasing some land to the school as a result of this. The community centre and surrounding land (incorporating the nursery and play area) is to be retained by the council. The site and the existing play area are on "white land" as shown on the Local Plan Proposals Map and therefore not restricted by any planning designations.

**PLANNING POLICY CONTEXT:**

Wrekin Local Plan

UD2 Design Criteria.

Core Strategy:  
CS10 Community Facilities,  
CS15 Urban Design.

National guidance:  
PPS1 Delivering Sustainable Development.

#### CONSULTATIONS:

A site notice and 4 direct neighbour letters publicised the application.

One representation has been received from the Chair of the Governors of the adjoining primary school. The school has no objection in principle providing that the play equipment does not impede upon the maintenance of the boundaries or free passage around the site. Issues in respect of the position of the common boundary have also been raised.

St Georges and Priorslee Parish Council support the proposal.

The Council's Geotechnical Engineer supports the proposal and suggests informatives I17 & I20.

The Council's Drainage Engineer supports the proposal.

#### PLANNING CONSIDERATIONS:

*Amended plans have been received altering the position of the boundary between the community centre and primary school. The location of the play equipment is now wholly within the retained area of council controlled land. This planning application is partly retrospective as the site has been cleared ready for the development.*

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 a proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

Policy CS10 inter alia, asserts that new community facilities or improvements to existing community facilities to meet the needs of local residents will be supported.

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

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.

The existing play area is very small and whilst not unsafe, does not provide sufficient play value or allow many children to use it at any one time. The land is currently within amenity/recreational/play use and therefore the proposed climbing/activity frame is not out of keeping with the current usage and the context of the site. The proposed fencing will match the existing boundary treatment and therefore will have no adverse impact upon the street scene or the wider landscape

The proposed development will not result in any loss of car parking or have a detrimental effect upon the adjacent Priorslee primary school. In addition, there are no nearby residential properties to be affected by this modest extension to an existing community play facility. The additional play equipment will be an improvement to the facilities provided by the community centre and thus will have a positive impact upon the amenities of the community centre and hence the proposal accords with Policy CS10.

Accordingly, it is considered that the proposed development is acceptable as it 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. A04 - Full with no reserved matters.
2. C38 - Compliance with approved plans.

#### Informatives

I17 – Minerals

I20 – Contaminated land

#### REASON FOR APPROVAL:

The proposed development is considered to be acceptable and will have a positive impact on the amenity of the community centre and the facilities provided. There will be no adverse impact on the character and appearance of the building, the surrounding area or the adjacent school.

TWC/2010/0722 Redhill Clay Pit, Redhill Way, St Georges, Telford, Shropshire  
Variation of Condition 2 of planning permission W2003-1316 to allow 10 years from date of outline permission for submission of Reserved Matters.

**APPLICANT**

Landmatch Limited

**RECEIVED**

16/11/2010

**PARISH**

St. Georges and Priorslee,  
Lilleshall, Donnington and  
Muxton

**WARD**

Muxton, Priorslee

**CASE OFFICER**

Valerie Hulme

OBJECTIONS RECEIVED: No

MAIN ISSUES: Principle of Development, design principles, impact on residential amenity, slope stability, highway safety, drainage, landscape maintenance

**THE PROPOSAL:**

This application seeks to vary the time for submission of the reserved matters applications following outline approval for residential development in 2005. The original outline application covered approximately 17.4 hectares, including a large ecology park to the west of the site and the access from Redhill Way to the east. Both the ecology park and access have been approved and completed prior to the submission of this application.

**SITE AND SURROUNDINGS**

The application site comprises the former Redland Quarry which lies to the west of Redhill Way. Redhill Clay Pit is located on the northern slopes of a localised high point on the north eastern edge of the main built up area of Telford and immediately to the north of St.Georges.

The site is characterised by steep contours which form a bowl within the centre of the site. The steepest slopes occur to the southern and south easterly boundary where the landform rises by approximately 18m. The landform generally falls south to north towards the existing pond feature, standing at 171m AOD (Above Ordnance Datum) to 140m AOD; the site then rises to 145m AOD on the northern site boundary. The site has been subject to extensive remodeling to create a platform for residential development.

The surrounding area is predominantly residential in character. Modern residential areas abut the site to the north and south; St Georges Sports and Social Club also adjoins this southern boundary with the hockey pitch and associated lighting standing at the crest of the adjoining slope. The completed ecology park lies on the western boundary, with residential areas beyond this. Vehicle access to the site is via the newly constructed roundabout from Redhill Way which encloses the site on the eastern boundary.

## HISTORY

W2003/1316 – Residential development; Outline Granted 20/12/2005 subject to a legal agreement to provide the following:

- Education contribution of £1231 per dwelling, for St Georges Primary School
- Safe routes to school contribution of £50,000, linking the development with St Georges Primary School
- Leisure Contribution of £15,000 towards the provision of upgraded facilities within 600m of the development
- Community Contribution of £35,000 towards St Georges Sports and Social Club
- Traffic signaling contribution of £10,000, towards traffic lights at the junction of Wrockwardine Wood Way and St Georges Road
- To complete and transfer the ecology park to the Council and provide £255,000 for future maintenance.
- To complete and transfer the play area to the Council and provide £218,615 for future maintenance
- To provide emergency access to the site via Rookery Road
- 20% Affordable Housing, tenure to be agreed dependant on grant funding available.

W2006/0651 – Formation and laying out of ecology park including earthworks, path, bridleways, landscaping and creation of new ponds; Reserved Matters Granted 22/08/2006.

Currently being determined in addition to this application:

TWC/2010/0152 – Reserved matters for the erection of 337 dwellings, NEAP, Balancing pond, associated highway and landscaping works.

TWC/2010/0731 – Residential development of Phase 1 for 50no. dwellings with associated parking (Reserved Matters).

## POLICIES

Telford & Wrekin Core Strategy DPD 2007

CS1 Homes

CS3 Telford

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open Space

CS12 Natural Environment

CS13 Environmental Recourses

CS15 Urban Design

Wrekin Local Plan 1995-2006 (Saved Policies)

H7 Large Scale Regeneration exceptions

H22 Community Facilities

H23 Affordable Housing

UD2 Urban Design Criteria

OL2 Designated areas

OL9 Species Protection

LR4 Outdoor recreation  
LR6 Developers contributions to open space

PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transport  
PPG14 Development on Unstable Land  
PPS23 Planning and Pollution Control  
PPG24 Planning and Noise  
PPS25 Development and Flood Risk

#### CONSULTATION RESPONSES

Highways: No comment  
Environmental Engineers: No comment  
Drainage: No comment  
Land Contamination: No comment  
Environmental Health: No comment  
Arboriculture/ Environmental Maintenance: No comment  
Ecology: No Comment  
Leisure & Recreation: No comment  
St Georges & Priorslee Parish Council: Support the scheme.

Lilleshall & Donnington Parish Council: Raise no objections to the scheme

#### PLANNING CONSIDERATIONS

The principle of redeveloping the derelict quarry for residential use has long been accepted by the Council. Outline planning consent was considered by Members in 2004, and later granted in 2005 following the completion of the S106 agreement.

The application site was derelict quarry which has recently been reclaimed as part of the outline approval in 2005. Saved policy H7 allows development of such derelict sites for residential development, subject to the provision of affordable housing, adequate remediation works take place and that adequate drainage and access arrangements exist.

The site has a number of site constraints relating to ecology, slope stability, mineshafts, ground contamination, and noise.

Protected species are within the outline curtilage for development. Reserved matters for the ecology park were approved by the LPA in 2006, and protected species located across the development site were relocated to the designated ecology park, providing enhanced habitats. All conditions relating to this phase have been discharged, and the Council has issued a certificate of completion. This land is currently in the process of being transferred to the Council, and maintained under the contributions as set out in the S106 agreement for the outline consent. Subsequently the proposal complies with protected species policies.

The highway access to the site has been completed and adopted.

Subsequently this is not a matter for consideration. The proposal also includes an emergency access on Rookery Road to the northern of the Development site, secured through the S106 agreement. Furthermore contributions towards signal improvements were also secured through the S106 agreement.

With regard to slope stability, mineshafts and ground contamination, the applicants have been in the process of discharging the conditions attached to the outline consent for some time, and is nearing a suitable conclusion. Subsequently it is considered that the site can be adequately remediated and appropriate mitigation measures applied complying with local and national policy.

A noise assessment accompanied the original application, and a further update provided for the reserved matters application for the residential development; this concludes the site can be developed subject to mitigation methods.

A balancing pond was supported in the original application for the storage of surface water. This shall be adopted in accordance with the S106 agreement. Further discussions regarding drainage have occurred since the approval of the application, and the provision of additional storage tanks are required under the highway. This shall be carried out under the conditions set out in the reserved matters application.

The provision of affordable housing remains at 20%; tenure is currently being discussed in accordance with the S106 and some minor alterations to the wording of the schedule in the S106 may occur under the deed of variation, this will not affect the quantity of provision however it will allow some flexibility on the delivery mechanism.

The application also provides contributions towards the adjacent Sports and Social Club; safe routes to schools project, offsite leisure facilities, and provide on site leisure facilities in the form of a NEAP, which includes a Skateboard Park, a MUGA and a formal equipped play area.

The outline application established a number of core urban design principles. These are:

7. Sustainability: Various elements of the development layout and urban form, such as a permeable network linking public transport, open space and local facilities and pedestrian and cycle friendly streets to encourage sustainable travel and avoid car dependence.
8. Ease of Movement: The street network is of great importance in the development of the site. It proposed to arrange the street network around a formal or main street enclosed by buildings with streets of a more local character into residential areas. Each street would contribute to creating an interconnected network to ensure that there is a choice of routes to promote efficient and direct journeys.
9. Character and Form: The layout and form of the development would

respond to the key characteristics of the site, identified as woodland/vegetation, water and topography. The woodland/vegetation will form an integral part of the development framework as open space and formal areas. The central lake will also form a key focal space within the layout and be enhanced as a recreational resource. The development should seek to identify and maximise opportunities for landmark or corner buildings, views and focal points. These features across the site will help create identity and legibility across the site.

10. Continuity and enclosure: The type of urban form encouraged was one that distinguishes between public and private space. The concept of a continuous building frontage around the edge of the block, known as the perimeter block, was considered the fundamental basis for achieving this. Buildings are placed to front the street and form a well defined building line with the private back to the rear.
11. Legibility: The area should be arranged around one primary street with smaller streets leading off into residential areas which will be easier to understand because they have familiar and recurring incidence. The development pattern should also incorporate specially designed buildings to mark important corners, entrance points and gateways.
12. Traffic Movement: Traffic management will be integral to the urban form and this will be achieved through a variety of means. Cars will be required to behave in a manner which is conducive to a pedestrian friendly environment. A permeable network of streets will be the key factor to achieving this.

Furthermore a revised masterplan was prepared and accepted in principle in June 2008.

Subsequently the proposal complies with the urban design polices.

### Conclusion

In conclusion, it is considered having regard to local and national planning policy, the principle of development is acceptable. The proposal addresses the site constraints and can be suitable developed; furthermore the proposal protects and provides enhanced habitats for protected species. S106 contributions ensure that the site will be suitable maintained through transfer of the ecology park, the NEAP and the balancing pond to the Council. Community contributions are also provided, in addition to offsite highway contributions. The proposal will continue to reclaim the derelict site and enhance the character of the surrounding area.

**RECOMMENDATION:** Subject to the applicants entering into a deed of variation for the S106 agreement, delegate authority to Head of Housing and Planning to GRANT PERMISSION and subject to the following conditions:

1. A1 : Standard Outline
2. A03: Submission of reserved matters – 5 years of date of consent
3. B02: Standard outline some matters reserved
4. B03 : General Details Required non standard
5. non standard trees- discharged
6. B23 : On site construction

7. B24 : Mud on road
8. non standard – archaeology – discharged
9. non standard - marketing of houses adjacent to neap
10. non standard – phasing in lie with masterplan
11. non standard – noise protection
12. non standard – contamination
13. non standard – method statement
14. non standard – if contamination identified
15. non standard – contamination - unidentified contamination
16. non standard – contamination method statement
17. non standard – soakaways
18. D12 – hours of work
19. B14 – landscape design
20. C12 – landscape implementation
21. B17 – landscape management plan
22. non standard – play / recreation area details
23. B20 – road design
24. non standard – roundabout – discharged
25. non standard – use of Rookery road
26. non standard – shallow mines
27. non standard – untreated mineshafts
28. non standard – slope stability
29. non standard – near surface ground conditions
30. non standard – surface water drainage
31. non standard – surface water drainage limitation

Reason for approval:

TWC/2010/0763 17 Holyhead Road, Ketley, Telford, Shropshire, TF1 5DY  
Erection of 7no. new dwellings including formation of new access, car parking  
and external works following demolition of existing cottage

**APPLICANT**

Days New Homes Ltd

**RECEIVED**

23/11/2010

**PARISH**

Ketley

**WARD**

Ketley and Oakengates

**CASE OFFICER**

Phil Baker

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Design and Appearance, Access,  
Parking

**PROPOSAL:**

This application comprises the demolition of an existing cottage and the erection of seven new dwellings – in two terraces, including the formation of a new access and car parking spaces, at 17 Holyhead Road, Ketley.

A terrace of three dwellings at the eastern end of the site would be two storeys in height, with two of them containing two bedrooms and the other one three bedrooms.

A terrace of four dwellings at the western end of the site would be set back from the road and be three storeys at the front and two storeys at the rear. They would all accommodate three bedrooms and have an integral single carport on the ground floor.

A new vehicular access would be provided from Holyhead Road that leads to a communal parking area that provides 10 spaces (2 each for plots 1-3 and 1 each for plots 4-7). Each dwelling therefore has 2 parking spaces.

The external materials of the proposed dwellings would comprise facing bricks and concrete interlocking roof tiles.

**SITE AND SURROUNDINGS:**

The application site lies within a mixed commercial and residential area on the southern side of Holyhead Road in Ketley. Until recently the site was vacant and overgrown, and contained a number of empty buildings. These buildings have now been demolished and the site has been cleared. To the east of the site lies a petrol filling station and car showroom, and to the south and west are existing dwellings.

**PLANNING HISTORY:**

In 2009 planning permission (ref: W2008/0952) was granted for 8 four-bedroom houses on this site. This permission was the subject of a Section 106 Agreement relating to a financial contribution of £5,000 towards the implementation of a Traffic Regulation Order to prohibit parking along the site frontage if any parking problems arose.

**PLANNING POLICY CONTEXT:**  
Wrekin Local Plan

H6 – Windfall sites in Telford and Newport  
UD2 – Design criteria

LDF Core Strategy

CS1 – Homes  
CS5 – District and Local Centres in Telford  
CS15 – Urban design

PPS1 – Delivering Sustainable Development  
PPS3 - Housing

**CONSULTATION RESPONSES:**

One letter has been received from a neighbouring resident who has concerns about the stability of his land and property because of the change in levels between the two sites, and has not received any assurances of what retaining structures will be provided.

The Parish Council has no objections to the application.

The Council's Highways Engineer has no objections subject to (a) an agreement that secures a contribution of from the applicants of £5,000 which would be used to implement a Traffic Regulation Order and associated double yellow lining across the frontage of the site, if it was deemed necessary in the interests of highway safety. This money would be held for 5 years and if at the end of that period no parking problem had materialised then the money would be repaid, and (b) a condition that all footpaths, roads, and parking areas are constructed in bound materials.

The Council's Drainage Engineer has no objections subject to conditions relating to foul and surface water drainage, and a soakaway test.

The Council's Geotechnical Engineer has no objections subject to conditions relating to shallow mineworkings and contaminated land.

The Council's Ecologist has no objections subject to the imposition of wildlife informatives relating to bats and birds.

**PLANNING CONSIDERATIONS:**

The site is shown as 'white land' on the Wrekin Local Plan, within the built-up urban area of Telford and within a mixed commercial and residential area, where appropriate residential development is acceptable in principle

The site currently has consent for 8 four-bedroom three-storey houses, and therefore the principle for a similar scheme on this site has already been established. However, the applicants believe that these types of properties are extremely difficult to sell because purchasers are often put off by three

storey houses as they are often 'top heavy' with bedrooms compared with the amount of living space. They feel that this is particularly the case with the approved houses as they only have an internal width of 3.7 metres.

By reducing the number of dwellings on the site, increasing their width to increase the internal accommodation, and providing a range of two and three bedroom units, and two and three storey dwellings, the applicants believe that the present scheme would be more attractive to potential buyers.

Furthermore, the previous scheme would have entailed the need for expensive retaining walls around the rear boundaries of the site. Therefore, this has all led to a complete rethink of the whole proposal, and the applicants feel that the present scheme represents a more efficient use of the site, and takes better account of the site levels.

The car parking has been moved to the front as this is the most level part of the site. The slope of the site can be partly taken out by cutting plots 4-7 into the bank, with three storeys to the front and two storeys at the rear. The rear gardens can then follow the existing ground levels, which therefore removes the need for a retaining wall along the rear boundary of the site. To prevent the parking at the front becoming too overbearing it is proposed to provide a wide landscaping strip, supplemented by a low wall and railings. Also, the stagger of the two terrace blocks brings housing close to the site frontage which will reduce the impact of the parking.

It is considered that the proposed development would substantially enhance the character and appearance of a site that until recently was unkempt and overgrown, and would greatly improve the street scene. It is considered that the design and appearance of the proposed dwellings relate positively to their context, and respect and respond to the characteristics of the site and the prevailing townscape in the immediate vicinity.

Finally, it is considered that the proposed development would not have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

It is considered that the proposed development is acceptable and will greatly enhance the appearance of a prominent yet neglected site on Holyhead Road. The design and appearance of the dwellings respect their surroundings and the development will not have an adverse impact on highway safety or on the residential amenities of the surrounding area.

**RECOMMENDATION:** Subject to the applicants entering into a Section 106 Agreement relating to a financial contribution of £5,000 towards the implementation of a Traffic Regulation Order, then **GRANT PLANNING PERMISSION** subject to the following conditions:

1. A04 – Full permission
2. B06 – Samples of materials
3. C38 – Submitted plans

4. C06 – Reveals around windows
5. B13 – Boundary treatments
6. B14 – Landscaping design
7. B23 – On-site construction
8. B24 – Mud on road
9. B26 – Shallow mineworkings
10. B30 – Contaminated land
11. B33 – Foul and surface water drainage
12. B35 – Soakaway test
13. Surface treatment of roads, footpaths and parking areas
14. C19 – Car parking
15. D03 – Restrictions on use of carports
16. D11 – Hours of work

#### REASON FOR APPROVAL

The site is shown as 'white land' on the Wrekin Local Plan, within the built-up area of Telford and within a mixed commercial and residential area, where appropriate residential development is acceptable in principle. The principle for a similar scheme has already been established by the 2009 consent.

The proposed development would substantially enhance the character and appearance of this prominent yet neglected site, and would greatly improve the street scene. The design and appearance of the proposed dwellings relate positively to their context, and respect and respond to the characteristics of the site and the prevailing townscape in the immediate vicinity.

The proposed development would not have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

TWC/2010/0769 Unit 4, 107A Trench Road, Trench, Telford, Shropshire, TF2 7DP

Erection and display of 1 no. internally illuminated fascia sign and 1no. internally illuminated projecting sign

**APPLICANT**

Tower 23 Ltd

**RECEIVED**

08/12/2010

**PARISH**

Wrockwardine Wood and  
Trench

**WARD**

Wrockwardine Wood and  
Trench

**CASE OFFICER**

Elizabeth Attwood

THE PARISH COUNCIL OBJECT TO THE PROJECTING SIGN HOWEVER THE CASE OFFICER CONSIDERS THAT THE PROPOSAL IS ACCEPTABLE, HENCE THE APPLICATION IS TO BE DETERMINED BY PLANS BOARD.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Highway safety and amenity.

**PROPOSAL:**

This is an Advertisement Consent for two internally illuminated signs.

Sign 1 is an internally illuminated 4790 x 1020mm fascia sign displaying the Pizza Hut corporate logo located on the full width of the shop front elevation.

Sign 2 is a 1100 x 810mm projecting sign displaying the Pizza Hut corporate logo and located on the left hand side of the aforementioned fascia sign above the pilaster.

**SITE AND SURROUNDINGS:**

The application site is a small parade of shops comprising a double unit operating as an Indian restaurant and take away, a One Stop convenience store, a Book Makers, a Hair Salon, a Fish & Chip shop, a Chinese take away and a vacant unit which is the subject of this planning application for a change of. There is a large tarmac parking area to the fore and a secure gated service area to the rear. The building was originally a supermarket and planning permission was granted in 2006 for shop front alterations and sub division and now consists on 6 separate units ranging from 96 sq.m. to 255 sq.m.

The building is located within a predominantly residential area with a Public House to the east and the nearest residential dwelling approximately 40 metres away on the opposite side of the busy Trench Road. The adjacent shop units in the parade have illuminated fascia signs and two units have projecting signs also.

Planning permission (TWC/2010/0213) was granted in 2010 for a change of use from an A1 (shop) use to an A5 (Pizza takeaway) use with opening hours

from 09:00 to 23:30 on Monday to Sunday and Bank Holidays. Pizza Hut has taken over the unit and an application to extend the opening hours to midnight has been submitted and recommended for approval and is due for determination by Plans Board.

**PLANNING HISTORY:**

W2002/1381 109A Trench Road variation of condition to allow opening from 09:00-23:30 Monday-Thursday & Sunday and 09:00-Midnight on Fridays and Saturdays - Full Granted.

W2006/0449 Unit 3 107 Trench Road - Change of Use to A3 & A5 opening hours 09:00-23:30 Full Granted

W2007/0305 Unit 6 107a Trench Road – Change of Use from A3 to A5. Refused, but allowed on appeal.

TWC/2010/0213 Unit 4 107a Trench Road - Change of Use from A1 to A5 - Full Granted.

TWC/2010/0829 Unit 4 107a Trench Road – Extend opening hours to 12:00a.m midnight. On this agenda awaiting determination.

TWC/2010/ 0824 Extraction & ventilation. Awaiting determination.

**PLANNING POLICY CONTEXT:**

Wrekin Local Plan 1995-2006 (saved policies)  
S31 Shop Fronts, Advertisements and Hoardings.

National guidance:

PPG 19 Outdoor Advertisement Control

**CONSULTATIONS:**

A site notice and 7 direct neighbour letters have publicised the application; no representations have been received.

Wrockwardine Wood and Trench Parish Council have objected to the hanging sign only. They consider that it is not a necessity as the facing sign should be sufficient advertisement. They consider that area will be made to look untidy. They note there is already a hanging sign on a unit close by and they do not recollect seeing an application for this. Councillors object to the number of signs being sited, making it look like Blackpool Illuminations in the middle of a residential area.

The Parish Council also request that the Traffic Engineers take account of the volume of traffic on the car park to this unit and take steps to ease the congestion it causes to Stanmore Drive, before there is a serious accident at this location. *This is not relevant to the consideration of this application.*

The Council's Highway Engineer supports the application.

#### PLANNING CONSIDERATIONS:

Policy S31 requires that any advertisements should be designed and positioned so that they are not detrimental to the character and amenity of the area and street scene. Advertisements should not lead to an unacceptable level of visual clutter as a result of the degree of advertising already existing in the area. Illuminated advertisements will be restricted to locations where illumination has the function of contributing to the ambience of the retail focal point, or where it contributes to public safety.

PPG 19 states that the “*advertisements can only be controlled in the interests of ‘amenity’ and ‘public safety’*”. In assessing the impact that advertisements have on ‘amenity’, national guidance states that Local Planning Authorities should have regard to its effect on the building or the visual amenity in the immediate neighbourhood where they are to be displayed. It is also necessary to consider the cumulative impact of advertisements on the surrounding area.

Advertisements can have a major impact upon the character and amenity of the area and need to be carefully located and designed, and the points raised by the Parish Council are noted. However, in this instance the signs are in a row of shops with similar signage and therefore will not look out of place or out of character or result in an adverse impact upon the street scene or the amenity of the area.

The base of the projecting sign will be 2.6m above the ground level and therefore will not interfere with the free passage of pedestrians or vehicles and the Highway Engineer supports the proposal.

With regards illumination, Policy 31 states “*in line with the Council’s aim to reduce energy waste, the use of illuminated signage will be discouraged unless it can be shown to contribute to either public safety or the ambience of retail or leisure areas*”. As the premises is a hot food take-away that can open during hours of darkness until 11.30pm, it is not unreasonable to expect and allow illuminated signage. In addition the premises is in a row of shops and will not be in an isolated and incongruous context. A condition has been imposed that requires the illuminated signs to be switched off when the premises are closed.

Officers do not consider that the signs will adversely affect highway safety or create a hazard to road users and the Council’s Highway engineer has no objection.

Accordingly, the proposed signage is considered acceptable and compliant with both local and national guidance and policy and therefore recommended for approval with conditions.

**RECOMMENDATION:** to GRANT ADVERTISEMENT CONSENT subject to the following conditions:

1. E01 (standard advertisement condition)
2. Non standard – switch off illumination when premises closed.

TWC/2010/0772 Severn Trent Water Mandatory PPE, Rushmoor, Telford, Shropshire, TF6 5EF

Partial redevelopment and extension to sewage treatment works including new access and landscape bund

**APPLICANT**

Severn Trent Water Ltd

**RECEIVED**

06/12/2010

**PARISH**

Wrockwardine

**WARD**

Wrockwardine

**CASE OFFICER**

Anna Robinson

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and Design, Character and appearance, Impact on residential amenity, Highways issues, Loss of open space/trees

**PROPOSAL:**

The application submitted by Severn Trent Water seeks planning permission for the partial redevelopment and extension to the existing Rushmoor sewage treatment works including a new vehicular access and landscape bund adjacent to properties in Allscott.

**THE SITE AND SURROUNDINGS:**

The site comprises an area of rough pasture land covering 4.36 hectares, located to the west of the established Severn Trent Water Rushmoor sewage treatment works which covers a 12 hectare site, and adjacent to the small settlements of Rushmoor and Allscott. The site is currently an open grassed area comprising trees and shrubs predominantly to the boundaries, with paddock area adjacent to Rushmoor Lane gated and fenced off. The land slopes up slightly to the south. A Definitive Right of Way runs through the centre of the site area.

The existing vehicular access to the site is set back from Rushmoor Lane and is located adjacent to No.1 Rushmoor, with the existing site compound to the rear of the ribbon development of properties in Rushmoor. The site is bounded by walling, secure mesh fencing and landscaping, with a secure metal gated access. The main village of Allscott is located to the far west of the application site, with the nearest residential property, Zaman located approx 40 metres from the site edged red.

**CONSULTATION RESPONSES:**

Wrockwardine Parish Council: objects to the proposed development on the following grounds:

- The proposal would lead to an unacceptable increase in HGV traffic movements along an unsuitable rural road network
- a failure by the applicant to demonstrate that there will be no adverse environmental impact upon the residents of this Parish including noise, smell and airborne pollution
- the loss of important amenity open space between the existing development and the adjoining residential properties

- the loss of important rural wildlife habitat
- the scale and mass of the proposed development is inconsistent with its rural setting

Highways: no objection in principle subject to conditions – prior to commencement of use, proposed vehicular access and visibility splays shall be provided as shown on plan, Condition C20 (Parking, loading, unloading and turning), Once new access in use, existing use shall be for emergency access only and not for daily operational traffic, and standard Highways Informative.

Environmental Health: no adverse comments

Drainage: no objection

Geotechnical Engineers: no comment

Ecology: no objection. The survey work is very thorough and the mitigation is comprehensive. Tree 3 contains a transitional roost for a single soprano pipistrelle. The felling of this tree requires a Natural England development licence. The development may also impact on nesting birds, slow worms and toads. The mitigation measures set out in the report will avoid and compensate for any harm, thus recommends a condition that the mitigation measures are implemented.

Environment Agency: no objection to the proposal, but makes the following advisory comments - Any waste from the development must be re-used, recycled or otherwise disposed of in accordance with waste management legislation and in particular the Duty of Care. As well as conforming to the planning regulations, it is also the applicant's responsibility to ensure that the existing discharge consent conditions, as required under the environmental Permitting Regulations, are met.

Eighteen neighbour letters have been received from eight local residents in Allscott. Their comments are summarised below:

- Insufficient publicity for public consultation in November and insufficient detail of the proposal presented at the meeting
- STW have not outlined local objections received from the public meeting
- Wrockwardine Parish Council involvement has been to comment on the Right of Way not the proposed new access and development
- Dispute whether application forms have been completed correctly and comments on supporting information
- Query about noise assessment and whether all relevant information included
- No clear rationale for the expansion of Rushmoor sewage works – major developments in Telford are nowhere near the site
- Telford & Wrekin Council withdrew land from public auction and sold exclusively to STW despite significant local interest. TWC has retained other parcels of land – process has not been open and

transparent

- Since sewage treatment plant approved in 1970s, population of Allscott has tripled
- Large industrial development on green open agricultural land
- STW site is substantial and alternative location in the grounds could be used with less impact on local residents – development on south or east of the existing treatment works would be supported by Allscott residents
- Existing movements by heavy tankers on Rushmoor Lane, a narrow winding country road with dangerous junctions at both ends
- Reason for relocation of access closer to Allscott and subdivision of land with bund – future developments on other parts of site?
- New access appears excessively wide and arbitrary in its alignment and would be less safe than existing – highways safety issues and noise disturbance from vehicles
- Increase in traffic
- Odour and health hazard
- Adverse impact on quality of life
- Design and position of bund – creates wall of soil and impacts on residential amenity – loss of view of countryside and trees/planting will take 10-15 years to mature
- Instead of bund, more appropriate planting/ landscaping could screen the development
- Environmental impacts due to increased flood risk as River Tern does flood, and has previously been polluted by STW plant
- Industrial fencing along boundary of site with Rushmoor Lane
- Increase in vermin and flies closer to Allscott
- Impact on local wildlife through loss of trees
- Query that proposed site will reduce need for pumping given land is low-lying.
- Existing Combined Heat and Power plant could be expanded to accommodate extra requirement – only investment required
- If expanded, this should be designed so there is no requirement for haulage of sewage by road and remove HGV access to make Rushmoor Lane into a 'Quiet Lane'
- Local residents are not all on main sewer connection, thus do not benefit from development – could be condition of any permission that they are connected at expense of STW
- Hours condition for vehicle movements of 8am to 6pm on weekdays to reduce noise impacts and disturbance
- Reposition landscape bund further into field leaving more open space adjacent to residents
- Need improvements to field – condition that stream to be cleared and new post and rail boundary fence erected
- Landscaping bund to be implemented and planted immediately and any odour control technology available to be employed
- Impact on local economy and tourism
- Devalue property
- STW entering into any S106 agreement?

- Local residents should be compensated financially

#### PLANNING HISTORY:

W81/0569 Installation of Additional Tank and Ancillaries for Improvements to Sludge Treatment to Be Situated Adjacent to Existing Building, Full granted (FG)

W87/0887 Erection of Workshop Building, FG

W90/0653 Erection of a Boiler House onto Side of Existing Workshop, FG

W98/0636 Proposed Centrifuge Building and Kiosk

W2007/1478 Erection of 1no. Sludge Thickener House and 1no. Balancing Tank and 3no. Kiosks, FG

W2009/0620 Erection of a Ferric Dosing Kiosk, FG

#### POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS7 Sustainable Development in Rural Area

PPS9 Biodiversity and Geological Conservation

PPS10 Planning for Sustainable Waste Management

PPS23 Planning and Pollution Control

PPG24 Planning and Noise

Saved Wrekin Local Plan Policies

UD2 Design Criteria

LDF Core Strategy

CS7 Rural Area

CS11 Open Space

CS15 Urban Design

#### PLANNING CONSIDERATIONS:

Severn Trent Water has statutory responsibilities for the provision of water and sewerage services and is required to meet obligations set by the regulator OFWAT. The provision of additional treatment capacity is required to meet the increase in development within and around Telford. STW therefore proposes a programme of renewal and upgrade of existing plant at the Rushmoor Sewage Treatment Works along with an extension of the development into adjoining agricultural land.

The Sewage Treatment Works is well established and the development accords with PPS10 which recognises the need for waste management facilities within the rural area. However, with regard to policy PPS7 and CS7 of the Core Strategy, the rural area must be protected, and development within it should be strictly controlled.

In the supporting information, alternative locations and options were considered. Other parts of the existing site were assessed but not considered suitable due to the amount of space required and that the development would not be on the correct side of the works for the flow to gravitate and additional pumping would be required. Justification for the proposed site has been

provided in the supporting information, and STW deem that as the proposed works supplement the existing treatment works, they need to be located together rather than on a separate part of the site.

As a statutory sewerage undertaker, Severn Trent Water has permitted development rights for the majority of the works within the existing site. However the following elements require planning consent:

- 1 of the Aeration tanks that is located within the extension area (the other 3 are within the existing site area)
- part of the Anoxic tank outlet channels
- 1 of the 3 Primary settlement tanks (PST)
- a control enclosure relating to PST
- LV and HV switch room enclosures.

All development within the extension area, including the change of use of the agricultural land to operational sewage treatment works requires planning consent. This includes:

- the new access road from Rushmoor Lane and internal access road
- weighbridge
- 1.2m high rail fence
- new field gate and stile,
- activated sludge plant transformer
- associated control enclosure and blowers.

All the enclosures are grey GRP kiosk structures, with the largest being the blower enclosure measuring 15.7m x 6.25m with height of 4.3m and the LV switchroom enclosure measuring 20m x 6m with height of 3.5m.

In addition to this development and to separate the STW facility from nearby residential properties, a landscaped bund is proposed along the length of the southwestern edge of the existing field. This would measure 26.5 metres in width and would be a height of 4 metres, covering an area of 1.07ha. It would be planted with a variety of native species. The existing Definitive Right of Way which currently runs through the site area will be diverted around the site, and would now run along the western boundary, parallel with the landscaped bund and to the south of the existing Sewage Treatment Works site.

The principle of such development has been well established on the Rushmoor Sewage Treatment Works along with the regular vehicle movements by tankers along Rushmoor Lane. The scale of the proposed development is considered relatively modest in relation to the overall Sewage Treatment Works' site area, and is predominantly confined to land directly adjacent to the existing site; apart from the new vehicular access, weighbridge, security fencing and landscaped bund which are located further to the south and west. The majority of new development will therefore be in keeping with existing development on site, in terms of the scale, form, materials and appearance.

The new access is wider and more prominent than the existing site access; however the repositioning will provide improved visibility to access and exit the site. In addition the highway access will no longer be shared with traffic from the adjoining residential properties 1 - 4 Rushmoor. In this regard, the development and vehicle movements will be located further away from these properties. The new access is of a standard design and meets highways requirements. In this regard the Highways Engineer has no objection subject to conditions. Whilst the fencing is not ideal in a rural location, it will be set back from the highway beyond existing planting on the highway verge and will not be visible or overly prominent. Thus, it is considered that the development complies with design criteria in national policy PPS1 and local planning policies UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

The relocation of the access to the south of its current position will increase the distance to properties to the east; however the proposal has brought it closer to Allscott and residents have raised a number of concerns regarding highway safety and noise disturbance in this regard. However, there are no properties directly adjacent to the new location of the vehicle access. The new access would be located more than 120 metres from the nearest residential property, Mill House on the opposite side of Rushmoor Lane, with the nearest point of the internal access road some 200 metres from the nearest dwellings to the south, Polkerris and Zaman in Allscott. The supporting information states that whilst there may be a slight increase in vehicle movements, from 65 to 69 two way movements per day, other schemes at nearby treatment works will reduce vehicle movements on this site to approx. 58 two way traffic movements per day by 2016.

With regard to the impact of the landscaped bund on visual amenities, it will be located more than 50 metres from Zaman and 100m from Polkerris and outbuildings at Allscott House, thus whilst the view of the open field will be altered, it is considered that this is a significant distance from residential properties and will not lead to a loss of light or outlook. Furthermore the proposed bund will ensure the adjacent extension will not have a detrimental impact on adjacent residential amenities by virtue of noise and visual impact.

A number of neighbour concerns have been raised about noise and odour. The supporting information has been assessed by Environmental Health who considers there will be no adverse impacts from the proposed development in terms of noise and odour, and the development is considered to be in accordance with policy guidance in PPS23 and PPG24. A condition is proposed to ensure that the development is carried out in accordance with the recommendations in the noise survey.

With reference to other issues raised, there will be the removal of some trees and hedgerows to accommodate the development; however this will be compensated by the planting of native species on the landscaped bund. Whilst there will be some loss of the existing open space, the majority of the area will remain undeveloped, retaining open features adjacent to the nearest residential properties, and there will still be public access via the diverted Definitive Right of Way. The proposal will not significantly alter the character

and appearance of the site and rural area. With regard to the impact on wildlife, Ecology has no objection and requests the mitigation measures outlined in the submitted report are followed, thus meeting the criteria in national guidance in PPS9 with regard to protected species.

In accordance with requirements in PPS25 a Flood Risk Assessment has been undertaken and has identified that the proposed development would not increase risk of flooding. The Environment Agency and Drainage Engineer have no objection to the proposal.

In regard to the STW public consultation process and the sale of the land, planning officers cannot comment on these issues; however there were pre-application discussions with various officers within the Council to prepare the required information at formal planning stage, highways comments and diversion of the Definitive Right of Way.

STW's Agent has responded to the neighbour comments with the following points:

- the Council's Highways and Environmental Health (EHO) consultees have no objections, providing expert opinion on environmental matters such as noise and odour and highways issues, including access design and road safety.
- Noise impact – Whilst the EHO's comments are positive, neighbours are concerned that exact specifications of the proposed plant has not been provided. Manufacturers specifications for the proposed blowers now available, stating maximum noise level of 73dB[A]. The blowers would be positioned within a building, thus reducing their noise level. It should be noted that noise readings were taken of the existing blowers on site, which were in excess of 80dB[A]. There are no existing noise issues with the operation of the site, thus the noise from the blowers, dampened by the enclosure would not have any detrimental impact on residential amenity.
- Odour impact – no known odour issues associated with the existing sewage treatment works. The proposed asset renewal and extension will incorporate the highest level of technology to minimise odour exposure; and by reason of the improvements to the existing infrastructure, the development would result in a net improvement in odour.
- Highway safety – new access has been designed to meet modern highway design standards, to enable safe access to, and egress from the site. The existing access is narrow with poor visibility splays, due to existing built development and does not perform to modern safety standards. The new access improves safety for all road users.
- Impact on view – Loss of a view is not a material planning consideration; however the landscaping bund is proposed to minimise the visual impact of the existing and proposed site. Some unprotected trees would be removed to facilitate the development, the landscaped bund will replace the screening that they currently offer. Furthermore, the bund will act to improve noise mitigation of the operational site, notwithstanding the fact that there are no concerns at present. The

proposed bund will lead to net gains in terms of visual amenity and noise reduction.

- Loss of trees – principally due to the need to maintain the ‘fluid’ processes involved. It is necessary for the processing of waste to follow a specific route through the various plant installations, within which different processes are applied. It is inappropriate, ineffective and inefficient to locate supplementary installations on detached areas of the site. New planting is being proposed with the landscaping bund. The trees are not protected and the appropriate authority will be obtained prior to their removal in terms of habitats.
- Alternative location for works – It is impractical to site the additional primary settlement tanks and aeration tanks c.300m to the east or south of the proposed locations as each element would require individual pumping. The existing system is gravity fed and follows a logical route. It is alleged by a neighbour that this could be overcome by installing new plant at different levels. This is not realistic as the waste water would need to flow from and to the previous and next stages of the process. This would also necessitate major excavations across the site which would not be possible due to the existing underground and ground level infrastructure and the need for continuous operation. The proposed site is the only realistic option for the essential growth of the sewage treatment works and the applicant is providing significant mitigation which will in fact result in net gains to safeguarding amenity.

In conclusion the proposed partial redevelopment and extension of the Rushmoor Sewage Treatment Works is considered acceptable as it will enable improvements to existing Severn Trent Water sewerage services in the area and increase capacity for the increasing population of Telford. The proposed plant and equipment is appropriate in terms of the scale, design, form and materials in keeping with existing development within the Sewage Treatment Works and will not be overly prominent in the area, with suitable landscaping. The character and appearance of the rural area will not be significantly altered. The proposal will not have a significant detrimental impact on adjoining residential amenities through the addition of the landscaping bund between the development and existing properties in Allscott. The new vehicular access will provide improved visibility for access and egress of the site. The Definitive Right of Way will be diverted around the site and therefore the pedestrian route will be retained. Consequently it is considered the proposed development accords with national and local planning policy.

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

- |   |          |   |
|---|----------|---|
| 1 | A04      | Time limit – Full with no reserved matters                      |
| 2 | C20      | Parking, loading, unloading                                     |
| 3 | C38      | Development in accordance with deposited plans                  |
| 4 | C Custom | Landscaping scheme to be implemented in accordance with details |
| 5 | C Custom | Highways – vehicular access and visibility splays               |

- 6 C Custom Mitigation measures in Protected Species Report to be
- 7 C Custom followed
- 8 D Custom Recommendations in Noise Survey to be followed  
Highways – once new access in use, other access shall be used only in emergency and not daily operational traffic

**REASON FOR APPROVAL:**

The proposed partial redevelopment and extension of the Rushmoor Sewage Treatment Works is considered acceptable as it will enable improvements to existing Severn Trent Water sewerage services in the area and increase capacity for the increasing population of Telford. The proposed plant and equipment is appropriate in terms of the scale, design, form and materials in keeping with existing development within the Sewage Treatment Works and will not be overly prominent in the area, with suitable landscaping. The character and appearance of the rural area will not be significantly altered. The proposal will not have a significant detrimental impact on adjoining residential amenities through the addition of the landscaping bund between the development and existing properties in Allscott. The new vehicular access will provide improved visibility for access and egress of the site. The Definitive Right of Way will be diverted around the site and therefore the pedestrian route will be retained.

TWC/2010/0798 155 Brands Farm Way, Randlay, Telford, Shropshire, TF3 2JJ

Change of use of open land to residential and erection of car port (Retrospective)

**APPLICANT**

Mr R Morrow

**RECEIVED**

18/11/2010

**PARISH**

Hollinswood and Randlay

**WARD**

The Nedge

**CASE OFFICER**

Matthew Thomas

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Visual Impact & Loss of 'open space'.

**PROPOSAL:**

This application is retrospective and is for the erection of a car port measuring 3.0m X 9.7m. The highest point of the carport measures at 3.0m and varies due to the sloping ground. The car port stands to the rear of the property at the end of the rear garden and is accessible off the allocated residential car parking area. The carport consists of green metal posts supporting profiled roof sheeting and is enclosed by green panel fences with concrete posts and gravel boards. The structure stands at 3.0m to the front and 2.6m to the rear and protrudes approximately 1m above the surrounding fencing

**SITE AND SURROUNDINGS:**

The site is situated within a high density residential area and estate development designed on a Radburn layout. The site comprises a small rectangular parcel of former open space land that has been brought into the applicant's rear garden and is enclosed by 1.8m high fencing. The site is accessible through a small car parking area located within the cul-de-sac and next to the grassed open common area.

2m high wooden panelled fencing encloses neighbouring rear gardens. Similar developments are noticeable close by to this location.

**PLANNING HISTORY:**

No relevant history

**PLANNING POLICY CONTEXT:**

Saved Wrekin Local Plan Policies  
Policy UD2 – Design Criteria

**Core Strategy:**

CS15 Urban Design

**CONSULTATION RESPONSES:**

Hollinswood & Randlay Parish Council put in the following comments:

- Loss of 'essential green space area'.
- Members of the Parish Council do not support retrospective applications for structures such as the car port.

Highways: Support  
Geotechs: Support subject to conditions (I17, I20)

A site notice and 14 direct neighbour letters have publicised the application.

A single letter of objection has been received from the occupiers of 195 Brands Farm Way – ‘Visual impact and loss of greenery’.

#### PLANNING CONSIDERATIONS:

This application is retrospective and is for the erection of a car port measuring 3.0m X 9.7m. The highest point of the car port measures at 3.0m and varies due to the sloping ground. The carport is currently being used to store up to two vehicles and for domestic light storage. The applicant claims the land was taken out of open space and the structure built around 10 years ago, which effectively means the land is no longer open space. Therefore, in this context, its loss is not considered significant.

The carport consists of metal posts supporting profiled roof sheeting and is enclosed by panel fences with concrete posts and gravel boards. The posts and supported roof are higher than the fencing making the structure visible however it has all been painted in a dark green colour making it less obtrusive.

The fencing panels match existing fencing that runs along boundaries of other neighbours and so does not look out of character and trees/shrubs have been planted around the carport, improving its overall look.

The car port is situated at a suitable distance away from other neighbouring properties and so noise disturbance should not arise.

In the opinion of the Local Planning Authority, the structure does not have a significant detrimental impact on visual amenities of the area or on highway safety or on residential amenities on adjacent properties.

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

A04 Time limit – Full with no reserved matters  
C38 Development in accordance with deposited plans

#### Informatives

I17 Minerals Area  
I20 Contaminated Land

#### REASON FOR APPROVAL:

In the opinion of the Local Planning Authority, the structure does not have a significant detrimental impact on visual amenities of the area or on residential amenities on adjacent properties. The structure does not impose any risk to highway safety.

TWC/2010/0822 Willow Vale, Longdon-upon-Tern, Shropshire, TF6 6LQ  
Proposed detached double garage and conversion of existing double garage  
to form habitable annex accommodation (Amended Plan Received)

**APPLICANT**

R Marsh

**RECEIVED**

20/12/2010

**PARISH**

Rodington

**WARD**

Wrockwardine

**CASE OFFICER**

Anna Robinson

RODINGTON PARISH COUNCIL HAS REQUESTED THAT THIS  
APPLICATION IS CONSIDERED BY MEMBERS AT PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and design, Character and appearance, Quantity of  
Development, Amenity.

**PROPOSAL:**

The application seeks planning permission for the erection of a detached  
double garage at the rear of the property, and conversion of the existing  
double garage to form habitable annexe accommodation for the existing  
bungalow at Willow Vale, Longdon-on-Tern.

**THE SITE AND SURROUNDINGS:**

The application site comprises a modern detached dormer bungalow, which is  
set back from the road and bounded by timber fencing with a gated access.  
To the front of the dwelling is a large hard surfaced parking and turning area.  
A double garage is located to the side with ancillary accommodation at first  
floor level accessed by a side door and an internal staircase; there are  
rooflights on both sides of the garage roof, serving the ancillary  
accommodation. To the rear of the dwelling is amenity space which was  
formerly agricultural land, bounded by timber fencing approx. 1.2 metres in  
height adjacent to agricultural land rising to approx. 2 metres along the  
boundary with the Tayleur Arms PH, with boundary fencing and hedge  
adjacent to the adjoining property, Wharf Cottage.

The application property, Willow Vale formerly included the adjacent land to  
the west which now comprises a new bungalow and garage. Willow Vale and  
the existing garage are located at a slightly lower level to the highway and are  
not overly visible or prominent in the streetscene given the substantial setback  
and existing boundary treatment/ gated access. The site is located within the  
village of Longdon-on-Tern.

**CONSULTATION RESPONSES:**

Rodington Parish Council strongly objects to this application as it will  
overdevelop the site, creating yet another property. There should be  
consideration of the history of planning applications on this site.

Highways support the proposed development.

Geotechnical Engineers support the proposal subject to a condition regarding gas protection measures.

Ecology supports the proposal subject to informatives regarding protected species and trenches.

Following submission of an amended plan indicating the proposed garage in a slightly revised position, Rodington Parish Council and neighbouring properties have been reconsulted. Any further comments will be presented to Members as an update.

#### PLANNING HISTORY:

W2008/0092 Erection of Side Extension, Rear Conservatory and Detached Garage to Rear, Full granted

W2009/0849 Erection Of A Detached Double Garage With Room Above And Conversion Of Existing Double Garage To Form Habitable Accommodation, Withdrawn to enable the Applicant to submit application to change the use of the land at the rear.

TWC/2010/0497 Change of use from agricultural land to residential amenity area (Retrospective), Full granted

#### POLICY CONTEXT:

National guidance:

PPS1 Delivering Sustainable Development

PPS7 Sustainable Development in Rural Areas

Core Strategy:

CS7 Rural Area

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

#### PLANNING CONSIDERATIONS:

The following policies are considered relevant in the consideration of the application:

With regard to national guidance contained in PPS1 and PPS7, new development shall be located in or on the edge of existing settlements and service areas where housing, employment, services and other facilities are provided close together, in order to create sustainable communities. PPS1 asserts that development should be of a high quality design and should reinforce local distinctiveness, and where it is inappropriate in its context or fails to improve the character and quality of an area, it should not be accepted. With regard to local planning policy, Policy CS7 states that development within the rural area should be limited to meet the needs of the area, and be focussed on the 3 key settlements of High Ercall, Tibberton and Waters Upton. Outside these settlements development will be limited and within the open countryside strictly controlled. Longdon-on-Tern is not one of

the key settlements; therefore separate residential dwellings would be limited to agricultural, forestry or other occupational dwellings or affordable housing, having regard to national policy guidance.

Policy CS15 of the Core Strategy expects development to assist in strengthening local identity and projecting a positive local image. Wrekin Local Plan Policy UD2 asserts that development must respect and respond positively to its context, and enhance the quality of the local environment through high quality design. It also states the development will be assessed in relation to its scale, massing, form, proportions and materials etc.

The proposed garage would be located on the amenity area at the rear of the property (former agricultural land) and measures 6.5m x 5.39m with a height of 2.25m to eaves and 3.9m to ridge. It would be constructed in the same materials as the main dwelling and existing garage, in keeping with the character and appearance of the property. The development would be smaller in scale than the existing garage, but would be of an appropriate design and form. It will not be overly visible or prominent, being located at the rear of the existing buildings on site and partly screened by the existing conifer hedge and boundary treatments. The proposal would not adversely affect the adjoining properties, the agricultural land to the rear or the character of the area. The majority of the existing amenity space would remain and the development will not have a detrimental impact on adjoining residential amenity.

The proposed annexe (converted garage) would comprise a sitting room/dining area at ground floor and bedroom/en-suite at first floor in the existing habitable space. The conversion of the existing garage would require only minor alterations to the ground floor, with the replacement of the 2 garage doors with windows and brickwork. The external door and rooflights are as existing and no new openings are to be created; thus the conversion will not lead to overlooking or loss of privacy of adjoining residential properties. The overall form and character of the building will be unchanged. The proposed brickwork will match the existing building and the development will be in keeping with the character and appearance of the property.

Rodington Parish Council's comments are noted and planning officers have had regard to the previous extensions and garage on the site and the adjoining new dwelling and garage on land that was formerly within the ownership of Willow Vale; however it is considered that the new garage can be adequately accommodated within the site area without having a detrimental impact on the character and appearance of the area and will not lead to overdevelopment. Furthermore, restrictive conditions shall be imposed and a legal agreement will ensure that the Local Planning Authority can control use of the proposed development and the proposal will not lead to the creation of a separate dwelling, only annexe accommodation to be used in association with the existing dwelling and garaging/storage.

In conclusion, the proposed garage is considered acceptable in terms of the siting, scale, design, form and materials and will not have a detrimental impact

on adjoining residential amenities or the adjacent agricultural land. The conversion of the garage to residential use and its occupation ancillary to the house by a member of family is considered acceptable and would not result in a significant detrimental impact on the character and amenities of the surrounding residential area which can be controlled through a legal agreement to prevent the annexe accommodation from being sold or let as a separate unit of accommodation. The development accords with national and local planning policy.

RECOMMENDATION: Subject to the Applicants entering into a Section 106 Agreement that the development shall be retained as ancillary accommodation to the main dwelling and not sold as a separate unit or let as a separate unit, to be delegated to the Head of Housing and Planning to GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 Time Limit
2. C01 Finishing material to match
3. C27 Gas protection measures
4. C38 Development in accordance with deposited plans
5. D02 Domestic garages: no business use
6. D04 New garage shall not be converted to residential use
7. D Custom Converted garage/annexe: ancillary accommodation only - restriction on separate residential use

REASON FOR APPROVAL:

The proposed garage is considered acceptable in terms of the siting, scale, design, form and materials and will not have a detrimental impact on adjoining residential amenities or the adjacent agricultural land. Furthermore, subject to a legal agreement to prevent the garage from being sold or let as a separate unit of accommodation, the conversion of the garage to residential use and its occupation ancillary to the house by a member of family is considered acceptable and would not result in a significant detrimental impact on the character and amenities of the surrounding residential area.

TWC/2010/0829 Unit 4, 107A, Trench Road, Trench, Telford, Shropshire,  
TF2 7DP Variation of condition no.4 on Planning Permission TWC/2010/0213  
to amend the opening hours to 12 noon to 12midnight seven days a week

**APPLICANT**

Tower 23 Ltd

**RECEIVED**

23/12/2010

**PARISH**

Wrockwardine Wood and  
Trench

**WARD**

Wrockwardine Wood and  
Trench

**CASE OFFICER**

Elizabeth Attwood

THE PARISH COUNCIL HAS OBJECTED TO THE APPLICATION.  
HOWEVER, THE CASE OFFICER CONSIDERS THAT THE PROPOSAL IS  
ACCEPTABLE HENCE THE APPLICATION IS TO BE DETERMINED BY  
PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Residential amenity.

**PROPOSAL:**

Planning permission (TWC/2010/0213) was granted in 2010 for a change of  
use from an A1 (shop) use to an A5 (hot food takeaway) use with opening  
hours restricted from 09:00 to 23:30 on Monday to Sunday and Bank  
Holidays. Pizza Hut has taken over the unit and now wishes to extend the  
opening hours until midnight seven days a week. Therefore this application  
seeks to vary condition 4.

**SITE AND SURROUNDINGS:**

The application site is one unit within a small parade of shops comprising a  
double unit operating as an Indian restaurant and take away, a One Stop  
convenience store, a Book Makers, a Hair Salon, a Fish & Chip shop, a  
Chinese take away and a vacant unit which is the subject of this planning  
application for a change of. There is a large tarmac parking area to the  
fore and a secure gated service area to the rear. The building was originally a  
supermarket and planning permission was granted in 2006 for shop front  
alterations and sub division and now consists on 6 separate units ranging  
from 96 sq.m. to 255 sq.m.

The building is located within a predominantly residential area with a Public  
House to the east and the nearest residential dwelling is approximately 40  
metres away on the opposite side of the busy Trench Road. The row of  
shops would be regarded as a Local Centre providing a range of  
services/facilities to meet day-to-day needs.

**PLANNING POLICY CONTEXT:**

Core Strategy:

CS5 District and Local Centres in Telford

National guidance:

Planning Policy Guidance 24 Planning and Noise (PPG24) is considered relevant to this application as it gives guidance to local authorities in England on the use of their planning powers to minimise the adverse impact of noise and builds on the advice previously contained in DOE Circular 10/73.

Amongst other issues it:-

- outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which will generate noise;
- and introduces the concept of noise exposure categories for residential development, encourages their use and recommends appropriate levels for exposure to different sources of noise.

RELEVANT HISTORY:

W2002/1381 109A Trench Road variation of condition to allow opening from 09:00-23:30 Monday-Thursday & Sunday and 09:00-Midnight on Fridays and Saturdays Full Granted.

W2006/0449 Unit 3 107 Trench Road - Change of Use to A3 & A5 opening hours 09:00-23:30. Full granted

W2007/0305 Unit 6 107a Trench Road – Change of Use from A3 to A5. Allowed on appeal.

TWC/2010/0213 Unit 4 107a Trench Road - Change of Use from A1 to A5. Full Granted.

TWC/2010/0769 Unit 4 107a Trench Road - Internally illuminated fascia and projecting sign. Awaiting determination at Plans Board on this agenda.

TWC/2010/ 0824 Unit 4 107a Trench Road - Extraction & ventilation details. Awaiting determination.

CONSULTATION RESPONSES:

A site notice and 17 direct neighbour letters have publicised the application. One letter of objection has been received and the issues raised are:

- noise nuisance,
- litter,
- parking,
- deliveries,
- use of the unit.

Wrockwardine Wood and Trench Parish Council have objected to the application as they have concerns that extended hours will cause anti social behaviour late at night especially at weekends, and the potential noise nuisance to local residents.

The Council's Highway Engineer supports the proposal.

PLANNING CONSIDERATIONS:

The proposal is to extend the permitted opening hours by half an hour to allow opening until midnight seven days a week.

Paragraph 20 to Annex 3 of PPG 24 Planning and Noise gives the following advice:

*“Commercial developments such as fast food restaurants, discos, night clubs and public houses pose particular difficulties, not least because associated activities are often at their peak in the evening and late at night. Local Planning authorities will wish to bear in mind not only the noise that is generated within the premises but also the attendant problems of noise that may be made by customers in the vicinity. The disturbance that can be caused by traffic and associated car parking should not be underestimated.”*

As mentioned previously the nearest residential dwelling is approximately 40 metres away on the opposite side of the busy Trench Road with regular traffic movements. Deliveries and public comings and goings will take place from the front door of the premise which fronts onto the public car park. Therefore, officers consider that an additional half an hour opening until 12:00 midnight will not have a significant adverse impact upon the amenities that the nearest residential properties could normally be expected to enjoy in this location and context. However, officers consider that although the hours conditions can be varied to midnight, there should be an additional requirement within that condition that the premises is vacated by staff and customers at midnight and not just closed to customers.

Policy CS5 advises that *“Development within each centre must assist in the creation of a vibrant, safe and attractive place...”*. One of the other hot food takeaways in the row already opens until midnight on Friday and Saturday evening. The application premises is relatively small and officers consider that allowing the premises to open an additional half hour every night will not significantly adversely affect the area or contribute to anti-social behaviour. Furthermore, the Council’s Environmental Health department have confirmed that they have not received any complaints in respect of noise or disturbance associated with the parade of shops from nearby residents. The Council’s Highway Engineer supports the proposal.

Accordingly, the extended opening hours are considered acceptable and comply with both local and national guidance and policy and therefore the variation of condition 4 is recommended for approval, but with the additional requirement that the premises is vacated by staff and customers at midnight.

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

1. A04 time,
2. Scheme for litter
3. C38 in accordance
4. D11 hours of use – premises vacated by staff and customers by midnight.

**REASON FOR APPROVAL:**

The extended opening hours are acceptable and will not result in the loss of residential amenity currently enjoyed by the occupiers of the residential properties in the area nor significantly adversely affect the general amenities of the immediate area and will help maintain a vibrant local centre.

TWC/2011/0012 Wombridge County Primary School, Hartshill, Oakengates, Telford, Shropshire, TF2 6AN

Relocation of existing 2.1m high fencing and gates and erection of new 1.8m high fencing around playing field

**APPLICANT**

Telford & Wrekin Council,

**RECEIVED**

01/12/2010

**PARISH**

Oakengates

**WARD**

Ketley and Oakengates

**CASE OFFICER**

Matthew Thomas

OBJECTIONS RECEIVED: No.

MAIN ISSUES: visual impact.

**PROPOSAL:**

The proposal is for the erection of 1.8m high fencing to the western and northern boundary of the school playing field and 2.1m high fencing to the eastern boundary to replace the existing chain link fencing. The proposal also includes the erection of 3 palisade gates at the school entrance, at the end of School Grove and fronting Hartshill (road). The fencing is of varied specification, namely:

- Northern boundary fronting Hartshill (road) – 1.8m high palisade fencing comprising notched and rounded topped metal pales along a 90 metre length
- Eastern boundary (primary school access) - 2.1 metre high palisade fencing with notched and rounded pales along a 13.75 metre length and then 2.1m high trident topped paling fencing along a further 13.75 metre length.
- Western boundary – 1.8m high vertical bar railings along a 108 metre length.

All fencing and gates are to be painted green.

The fencing is required to provide security and safety by restricting unauthorised access to the playing field during and after school hours.

**SITE AND SURROUNDINGS:**

The site lies off Hartshill abutting the boundary of the Stallard Court and School Grove residential estates and the Wombridge County Primary School. The site area is 2.39 hectares and is currently used as a playing field by the local school and by Wellington Football Club. There is access to the site from the Primary School and off School Grove. There is existing chain link fencing enclosing the playing field.

The Football Club clubhouse is situated on the eastern boundary of the field and a portable building is situated in the south-eastern corner adjoining School Grove.

Several residential properties from Stallard Court and Hartshill overlook the site.

**PLANNING HISTORY:**

W97/0918 – Erection of 2.4m high steel security fence

**PLANNING POLICY CONTEXT:**

National Planning Guidance

PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

LDF Core Strategy

CS15 Urban Design

**CONSULTATION RESPONSES:**

A site notice and 51 direct neighbour letters have publicised the application.

A single letter of support has been received from the occupiers of 11 Stallard Court:

**PLANNING CONSIDERATIONS:**

There are differences in the detailed design of the fencing as some lengths of fencing will be relocated from other sites. However there will be consistency of colour and the overall appearance will be one of green metal palisade fencing, generally of consistent height. The design is functional and acceptable in visual terms. The properties situated on Stallard Court overlook the playing field and are elevated above the playing field. The fencing will have little impact on the amenities of occupants of these properties. 1.8m high fencing will run along the Northern boundary of the site, parallel to Hartshill (road). Although the proposal will introduce metal fencing along Hartshill Road it will not be visually detrimental and should not have an overbearing effect on the residential properties opposite, as the fencing is palisade, not solid, and will be coloured green.

Trees surround other boundaries and therefore it is considered that the proposal will not have any seriously detrimental impact in terms of visual character or residential amenity.

The proposal will not adversely affect the character or appearance of the surrounding area and will help to secure the playing fields. The development will not have a significant effect on nearby properties and will have little detrimental impact on residential amenities presently enjoyed by the occupants.

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

A04 Time limit

C38 Development in accordance with plan Nos.

**REASONS FOR APPROVAL:**

The proposal will not adversely affect the character or appearance of the surrounding area and will help to secure the playing fields. The development will not have a significant effect on nearby properties and will have little

detrimental impact on residential amenities presently enjoyed by the occupants.

TWC/2011/0015 Tibberton Stores, Tibberton, Telford, Shropshire, TF10 8NZ  
Change of use of vacant shop to 1no. 2 bed flat

**APPLICANT**

Mr Michael Williams

**RECEIVED**

23/12/2010

**PARISH**

Tibberton and Cherrington

**WARD**

Edgmond

**CASE OFFICER**

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of loss of community facility, impact on the character and appearance of the area, residential amenity.

**PROPOSAL:**

This application seeks to change the use of the currently vacant village shop into a two bedroomed flat in the centre of Tibberton village.

**SITE AND SURROUNDINGS:**

The application site comprises a large modern detached two storey property, containing Tibberton Stores, a general store/newsagents located in the one half of the ground floor; the Manager's flat at first floor which has recently been converted to a 2 bedroomed flat and the other half of the ground floor to a 1 bedroomed flat. The building is partly flat-roofed at the front, which comprised the former shop and which is also adjacent to the main two-storey gable forming the original dwelling house. An area of hardstanding and attached garage provides parking for some 5 cars. There is also informal on street parking in front of Tibberton Stores and adjoining residential properties. The application site is located in the centre of Tibberton village, within a largely residential area. The village also has a church, primary school, sports ground and public house. Tibberton is one of the three named settlements with a range of services and facilities that is identified in Core Strategy policy CS7 to receive new housing development.

**PLANNING POLICY CONTEXT:**

Core Strategy:

CS1 Homes

CS7 Rural Area

CS10 Community Facilities

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

National guidance:

PPS1 Delivering Sustainable Development

PPS4 Planning for Sustainable Economic Growth

- Policy EC13 Determining planning applications affecting shops and services in local Centres and villages.

- Policy EC12 Determining planning applications for economic development in rural Areas.

PPS7: Sustainable Development in Rural Areas

#### CONSULTATIONS:

Sixteen direct neighbour letters have publicised the application.

2 letters of support, including one from the occupier of the neighbouring property, have been received and are summarised below:

- Every attempt has been made to sell the business but no offers over the last 5 years and in this economic climate it is clear that no one is prepared to take on the financial risk.
- Shop has been empty for 15 months and this is a worry for local residents.
- Applicants bought the business on the understanding they would be able to convert later and to refuse would be prejudicial now they have retired from running the business.
- The premises are currently an eyesore which would be improved if this conversion is allowed.
- There's a petition by local residents in support of the proposal and with current government policy to encourage and involve local people in local decisions, this application should be approved.

A petition in support of the change of use containing 176 signatures from residents of Tibberton, Great Bolas, Cherrington, Edgmond, Kynnersley, Meeson Heath and Pickstock has been received.

Tibberton Parish Council unanimously supports the proposal, for the reasons summarised below:

- Supported the previous application but due to an administrative error previous comments weren't forwarded to the Council but were sent to the Appeal Inspector.
- Regret the loss of such an important facility.
- Following closure of the shop the Parish Council actively supported the establishment of a new shop at the Sutherland Arms, which unfortunately has closed, but the Parish Council has since facilitated the establishment of a village committee to investigate the possibility of starting a small volunteer-run community shop.
- With regards Tibberton Stores, the applicants have made efforts over a number of years to both sell and lease the business without success.
- Allowing this application would be the proper and just decision for the applicants to allow them to realise some return on their property.
- It would also allow a long-term unused premises to provide useful accommodation.

#### PLANNING HISTORY:

W98/0191 Change of use of shop and dwelling to residential dwelling. Full granted.

W2003/0377 Renewal of W98/0191 to dwelling. Full granted

W2003/1431 Office extension. Full granted

W2008/0080 Change of use to residential dwelling, Full refused;

W2008/1257 Division of existing property into ground floor shop and flat and first floor flat. Full granted.

W2009/1092 Change of Use of disused shop shell to a 2 bedroomed flat with new front canopy. Full refused and Appeal dismissed October 2010 (ref:APP/C3240/A/10/2130000/WF).

Interestingly, a shop has been operating from the Sutherland Arms PH since 1<sup>st</sup> November 2009 until recently. The use did not benefit from planning permission but was hurriedly set up in an attempt to assist the community because of the loss of the shop, the subject of this application. The landlady was able to provide the service because the pub food trade was no longer viable and the dining room was able to be converted to a shop. Sadly, this 'shop' has now ceased trading and the Public House is up for sale.

#### PLANNING CONSIDERATIONS:

Members will need to appreciate the planning history of the application site as it considers the latest proposal in detail.

There have been a number of applications involving this site, which possibly reflects its vulnerability in commercial viability terms. Applications include a renewal of planning permission for change of use of the shop and dwelling to a residential dwelling at Tibberton Stores, which was originally granted consent in 1998, and renewed in 2003 but was then refused in 2008 as new planning policies in relation to the retention of community uses and rural settlements had emerged and it was felt that the proposed change of use would lead to the loss of an important community facility and thereby have a detrimental impact on that particular community.

A subsequent application (W2008/1257) was lodged for the part-conversion of the existing Shop to create an additional residential unit at ground floor, with the relocation of the kitchen to the first floor to create a self-contained flat above, and retaining the main sales area of the shop, albeit at a reduced floorspace. The proposal was considered acceptable as the residential unit would be located in Tibberton, which is identified as a suitable settlement for limited housing development under the adopted Core Strategy, and that the development would enable the existing function of the shop to continue. It was concluded that while the additional unit exceeded the housing need identified for the rural area (170 units), the proposal would have maintained and protected an important community facility in the village.

A further application (W2009/1092) for the conversion of the remaining shop to a 2 bedroomed flat was refused in February 2009 on the basis of loss of the community facility and housing need. This refusal of permission was the

subject of appeal, which was dismissed in October 2010 by the Inspector appointed by the Secretary of State for Communities and Local Government.

The Inspector agreed with the Council that:

- Evidence on viability (of the shop) did not justify the loss of the community facility.
- The temporary nature of the shop in the Sutherland Arms PH would not ensure the presence of a shop in the village.
- Insufficient evidence had been provided to demonstrate that the shop was no longer required or that an acceptable alternative had been provided.
- The loss of the shop would have an unacceptable harmful effect on the local community.
- There was no identified need that an additional dwelling was required and the new dwelling was not an 'affordable' dwelling, as defined in Annex B to Planning Policy Statement PPS3.

In planning policy terms, the key consideration for this current application is the importance to retaining this key community facility in a rural service centre that has been identified for new rural development (Policy CS7), having regard to the requirements of Policy CS10, as well as further exceeding the rural housing commitments in accordance with Core Strategy Policy CS1. National policies PPS1, PPS4 and PPS7, together with regional policy within the RSS, are also relevant to the consideration of this application.

In national, regional and local policy, it is considered desirable to retain and protect existing community facilities and although there are undoubtedly community facilities and services which are essential to sustaining a local community, facilities such as pubs and local shops also form part of the fabric of a community and are therefore worthy of protection from other uses. PPS1 advocates that all members of the community should have good access to key services and community facilities. PPS4 seeks to support development which enhances the vitality and viability of rural service centres. Account should be taken with regards to the economic, social and environmental sustainability of an area, when considering planning applications involving the loss of economic activity. Furthermore, policy EC13 of PPS4 states that local planning authorities should take into account the importance of the shop to the local community itself and refuse planning applications which fail to protect existing facilities that provide for people's day-to-day needs.

With regard to the Core Strategy, one of its objectives is to sustain rural communities within the Borough, with rural housing development to be focussed on three villages, namely Tibberton, High Ercall and Waters Upton, which currently offer key local services and facilities under Policy CS7. These three rural villages are identified in the Core Strategy as having the most community facilities and services, and therefore considered the most sustainable locations for new residential development to meet the needs of the area. In addition Policy CS10 states that local shops are part of the fabric of a community and the loss of such facilities that perform an important community function will be resisted, unless it can be demonstrated that there

is a lack of need for such service provision development to meet rural needs or where an acceptable alternative provision exists or is provided concurrently.

The applicant has failed previously to demonstrate with clear supporting evidence of ongoing viability that the loss of the shop should be favourably considered. The appeal inspector also noted that insufficient evidence had been lodged with the appeal, with no details of extensive marketing of the property to demonstrate that there was little interest in the use continuing long term. Given the fact that the Secretary of State has only very recently (October 2010) dismissed the appeal, it is incumbent on the Council to be clear whether there have been significant changes to warrant a change of approach, otherwise a reverse decision might be considered perverse.

The Council cannot prevent the shop closing but in assessing the application against the above policies, it does need to be satisfied that there is little prospect that the use will continue. Supporting documentation has now been submitted with this application to help demonstrate that the premises were marketed by professional agents until August 2009 and by the applicants until their retirement in October 2009, although there does not appear to have been any active marketing since 2009 up to the present day. The Appeal Inspector did not have any written evidence of whether the property had been actively marketed for a reasonable time period and indeed took account that the Parish Council had suggested that interest had indeed been expressed in the property. The marketing evidence now submitted is a material factor. It is accepted that the applicant may not have presented the Inspector with the full facts when the appeal was determined and certainly not in the form now accompanying this planning application (Design & Access Statement), which has some substance and therefore weight in planning terms.

At the time of the appeal, the Public House provided a temporary shop, which suggested to the Inspector that there was an ongoing need for a shop at Tibberton. It must be pointed out that interest has been shown by the recently formed Community Shop Steering Group (a local Parish Council initiative) regarding the possibility of providing a temporary shop in a portable building on the car park of the Sutherland Arms PH, which suggests that a demand for a shop of some kind still exists.

Another change since the appeal decision is the continuing changing/declining economic situation which is now finding its way into draft national policy changes. There is to be a greater emphasis on community aspirations and wants rather than perceptions of community needs in the new Localism Bill. The views of our communities on individual planning applications have always played an important part in the planning process but it is the additional weight that this might take in future, against other traditional planning policy approaches, which can now be taken into account. Consequently, Members will need to have regard to the views of the Parish Council and 176 residents who have signed a petition to confirm that while the loss of the shop is regrettable, they support the change of use to residential and support the applicant's desire to realise some return on their property,

which would allow a long-term unused premises to provide residential accommodation.

Accordingly, whilst the Local Planning Authority considers that the proposed change of use of the shop to a residential dwelling would lead to the loss of an important community facility that would be contrary to policy, it is recognised that there appears to be greater support from local residents and the Parish Council for the development than the desire to retain the use as a shop. The long term closure of the shop may have had a bearing on this support.

The proposal to create a new dwelling in Tibberton would further exceed the housing need within the rural area, which has exceeded the 170 units envisaged by Policy CS1. However, it is difficult to justify withholding planning permission for an additional flat within an existing building on the basis of this Policy alone as it would be difficult to demonstrate that it would have strategic significance.

On balance it is considered that the applicant has provided additional evidence that the Appeal Inspector did not have that helps demonstrate that there appears to be little interest in running this retail unit (up until 2009). Further, there appears little appetite within the local community to support the Council's previous stance and local residents appear to consider that it would be preferable and beneficial for the vacant shop to be used as a dwelling – and the fact that the shop has been vacant for over 15 months may have a bearing on this view. The Council would not wish this unit to be kept unused for a further lengthy period. The additional housing unit would not have any serious planning implications. Therefore officers consider that on balance in this case there are material considerations - namely additional marketing evidence that demonstrates no take-up of the retail business; the support of the some of the community by a 176 name petition and the Parish Council; bringing a vacant building back into active use in the centre of a key settlement; and the interest of the local Community Shop Steering Group to look at providing an alternative facility - that outweigh the retention of this community facility contrary to Policy CS10.

In recommending this application, Members are advised that the application is a Departure to the Development Plan and will need to be publicised in accordance with the Regulations.

**RECOMMENDATION:** subject to there being no objections following advertising the application as a Departure to the Development Plan the Head of Housing & Planning is authorised to GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 - Full with no reserved matters.
2. C01 – Materials to match
2. C38 – In accordance with submitted plans.

Informative

I40 - Informative - Conditions.

I41 - Informative - Reasons for the grant of planning permission.

#### REASON FOR APPROVAL

The Council has had regard to both national and local planning policies and in recognising that the application constitutes a Departure to the Development Plan, which seeks to retain important community services and to focus and limit new housing development within the rural area to key identified settlements, it considers that sufficient evidence has been submitted with the application particulars that demonstrates that the shop unit is not viable as a retail unit. It also considers that the additional housing unit in the form of a single residential flat will have little impact on the Council's strategic housing policies designed to limit overall growth within the rural area.

TWC/2011/0016 Telford Town Park, Hinkshay Road, Malinslee, Telford,  
Shropshire  
Proposed Single Storey Visitor Centre

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

23/12/2010

**PARISH**

Great Dawley, Hollinswood  
and Randlay, Sturchley and  
Brookside

**WARD**

Dawley Magna,  
Malinslee, The Nedge

**CASE OFFICER**

Emma Green

OBJECTIONS RECEIVED: Yes.

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

**PROPOSAL:**

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 building, with a mono pitched roof, in a mix of brick, wood and glass materials in a contemporary design. The shape of the building is in a splay similar to a bird's wing formation, with a maximum frontage of 44m and a maximum depth of 17m, with an enclosed rear space. The building will comprise of the following facilities; toilets and baby changing facilities, information desk, café/refreshments area, staff room and office, educational space and bicycle hire facility.

This application is to replace a previous consent for a replacement facility approved by plans board on 26<sup>th</sup> August 2010. Following approval, there has been on going discussion with regards to the design and siting of the new facility and an alteration to the budget provisions, which have enabled the design of the building

**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:**

TWC/2010/00349 - Proposed single storey visitor centre (Use Class Sui Generis) – Approved 26<sup>th</sup> August 2010.

**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 REPOSES:**

Arboricultural: 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.

Archaeology: No objections

Conservation: No objection

Contaminated Land: No objection

Ecology: Whilst the design and access statement supports the increase of biodiversity in the park and Southwater, the application does not include the details of how this is to be achieved, in particular the inclusion of the green roof and bat/bird and invertebrate boxes. The details of these elements can be delivered through the imposition of conditions.

Sustainability: Support subject to conditions. The development has very positive sustainable aspects with the building to be constructed to PassivHaus

standard. The consent should be conditioned to ensure the building is constructed to this standard and proof of certification provided on completion

Great Dawley Parish Council: no objections.

Hollinswood and Randlay Parish Council: object to the proposal on grounds of the style and design of the building as being unattractive. However there is support of the provision of a visitor centre and no objection to the location of the building and praise for the disabled facilities to be enclosed.

Stirchley and Brookside Parish Council: comments are awaited.

National Grid comments are awaited

Comments are awaited from: Geotechnical, Highways, and Drainage

#### 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 complementary 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, design and sustainability:*

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 contrast to the existing chapel building and is considered appropriate and will not detract from the chapel or the surrounding park, whilst creating a prominent building, which is clearly identifiable as a visitor centre. The use of wood, brick and glass, is a blend of traditional and contemporary materials to match the chapel and use materials which have been reclaimed from the site, mix with the wood to reflect the natural environment which is the backdrop to the development and ensure that the mass of the building does not dominate the site. These elements are linked by glazing and a floating roof, to give a contemporary feel and offer light into the building and reduce the scale and bulk of the building. The palette of materials chosen reflects and complements materials in the wider park, to respect the surrounding context.

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. Furthermore, the design of the building offers greater flexibility to internally alter the building to meet changing demands in the future, as necessary.

The building is to be constructed to 'PassivHaus' standards, which is a specific construction standard for buildings which have excellent comfort condition in both winter and summer, through the use of high levels of energy efficiency through mechanisms such as good levels of insulation, use of solar and internal gains, excellent levels of air tightness and good indoor air quality and require ultra-low energy levels for heating and cooling. This method of construction uses around 90% less energy than standard UK builds and is therefore a high level of sustainable development.

The building is to be integrated into the park and adjacent Southwater through the wider landscaping proposals in connection with the public realm element of the Southwater development and Parks for the People Project, which seeks to relocate the water and sand play displaced by the Southwater project and includes new covered seating areas, informal seating, teenage facilities and trees and other soft planting.

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 loss of trees could mean loss of habitat for birds and bats; however this is to 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.

*Other issues:*

The facility is expected to open typically 08:00 to 18:00 hours Monday to Sunday. However, there may be special events on mornings or evening, which would require the facility to open outside these times. Given the fairly remote location of the building within the park, and significant distance (in excess of 280m) to nearest residential properties, it is not considered necessary to limit or control the hours of opening of the facility in order to preserve amenity,

**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 complementary 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. B80 – Site Environmental Management Plan
5. C38 – Development in accordance with deposited plans
6. CCustom – Details of bat, bird and invertebrate boxes
7. CCustom – PassivHaus level of construction

**Informatives:**

- I05 – Separate Advertisement Consent
- I17 – Minerals Area
- I20 – Contaminated Land
- I25 – Birds
- ICustom – National Grid Guidance
- I40 – Conditions
- 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 complementary 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.

TWC/2011/0024 Mannerley Wood, Riddings Close, Ketley, Telford,  
Shropshire, TF1 5HG  
Provision of a children's equipped play area with 1.2m high fencing

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

12/01/2011

**PARISH**

Ketley

**WARD**

Ketley and Oakengates

**CASE OFFICER**

Phil Baker

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Design, Appearance, Impact on residential amenity.

**PROPOSAL:**

The proposed development involves the provision of a small children's play area on a circular piece of land, 18 metres in diameter, that would be equipped with items such as swings, see-saws, roundabouts, and slides. The play area is intended to be used by children between 3 and 12 years old.

**SITE AND SURROUNDINGS:**

The application site lies within Green Network in a wider area of public open space, approximately 22 metres south of Riddings Close, Ketley, that is used by the local community for informal recreation purposes. The immediate area around the proposed site comprises rough grassland, but there is a copse of semi-mature trees between the site and Riddings Close.

**PLANNING POLICY CONTEXT:**

LDF Core Strategy

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open Space

Saved Wrekin Local Plan

LR1 Provision of Community Facilities

OL3 Green Network

OL4 Development in the Green Network

PPS17 – Planning for Open Space, Sport, and Recreation

**CONSULTATION RESPONSES:**

One letter of objection has been received from a local resident. The grounds of objection are as follows:

- Increase in noise levels from screaming children
- Will compromise security of local houses
- Will be subjected to vandalism
- Will become a meeting point for local youths
- Increase in litter problems

The Council's Drainage Engineer has no objections subject to a condition relating to soakaway drainage.

The Council's Environmental Health Officer has no objections subject to an informative relating to contaminated land.

The Council's Ecologist has no objections subject to a condition relating to the submission of a method statement to deal with greater crested newts

#### PLANNING CONSIDERATIONS:

There is currently a very limited amount of play provision for young children within this area of Ketley, and numerous attempts to find a location for such a facility have been thwarted for various reasons over the past ten years. The provision of a Local Equipped Area of Play (LEAP) to serve this area has been identified in the Council's adopted play strategy.

The Borough Council has been working with the Parish Council to find a site for the play area, and both Councils feel that this particular location is acceptable. The Parish Council has also canvassed the views of local children as to its layout, design, and the types of play equipment that should be provided. Funding for the play area has been financed from Section 106 Agreements secured by this Council as part of the adjacent Cow Wood development some years ago.

The site is shown as Green Network on the Wrekin Local Plan where new development would not be permitted unless there are exceptional circumstances, it contributes to the aims of the Green network, or environmental and community benefits are an integral part of the proposal. In this case it is considered that there are substantial community benefits in providing the proposed equipped play area in an area already used for informal recreation.

National guidelines in relation to older children's play provision suggest a minimum distance of 30 metres from the edge of the facility to the boundary of existing or proposed residential properties. In this particular case there is only one dwelling that is within this distance, and this is 26 metres away.

It should be acknowledged that the '30-metre rule' is guidance only, and there are numerous locations across the Borough which are significantly closer than this proposal. (For instance in Freestone Avenue, St Georges the play area is only three metres from the nearest residential property).

The proposed location was chosen because it provides a balance between ensuring that local residents are not unduly disturbed, but also ensuring that the play area has a degree of surveillance. At present the location is somewhat screened by trees from the nearest dwellings in Riddings Close, and guidance on play provision advises that views into the facility are recommended, for the security of the users and for the safety of the equipment. Therefore, it is proposed to thin out this area of woodland and open up vistas from Riddings Close into the proposed play area. Properties in

Riddings Close will then overlook the open space from a distance, whilst retaining a buffer distance between the play area and the housing.

The play area will be surrounded by 1.2 metre high metal railings, and a litter bin will be provided. Management of the facility would be a twice weekly safety inspection, including litter picking and bin emptying, a six weekly structural inspection, and an annual safety inspection.

Similar play areas to the one proposed have been provided in other parts of Telford, namely Woodside, Ketley, Leegomery, and Dawley Bank. These have been shown to be robust and can withstand constant usage over a long period of time without significant maintenance issues.

It is considered that the proposed play area would be acceptable on this site within the Green Network. The play area will provide much needed play and recreational facilities for young children in the surrounding area. It is believed that the advantages of providing this facility in this location more than outweigh any possible problems of noise and disturbance that may be experienced by local residents.

The scale and design of the proposed development would not have a detrimental impact on the character and appearance of the area. The play area respects the context of the site and would provide an important community and recreational facility for young children.

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

1. A04 – Full permission
2. C38 – Submitted plans
3. Submission of method statement dealing with greater crested newts

**REASONS FOR APPROVAL:**

The proposed play area will provide much-needed play and recreational facilities for young children in the surrounding area. The scale and design of the proposed development would not have a detrimental impact on the character and appearance of the area. The proposed play area, within the Green Network and in an area already used for community informal recreation, respects the context of the site and would provide an important community and recreational facility for young children.

W2004/0972 Land at, Lawley Farm, Lawley, Telford, Shropshire.  
Residential Development (outline)

**APPLICANT**

Bromstead Hill Farm partnership

**RECEIVED**

06/08/2004

**PARISH**

Lawley and Overdale

**WARD**

**CASE OFFICER**

Dave Fletcher.

**PURPOSE OF THIS REPORT:**

The purpose of this report is to consider a request from the developer at Lawley Farm to vary the terms of an existing section 106 agreement in relation to outline planning permission W2004/0972 in order to reduce the number of affordable houses that should be built on the site in the light of the current economic recession and down turn in house building and to secure the restoration and conversion of the listed building on the site.

**BACKGROUND:**

Outline planning permission W2004/0972 was granted by Plans Board in 6 October 2004 and the Strategic Development Board on 11 October 2004 subject to a section 106 agreement providing for financial sums for education (£1000 per dwelling), upgrading of leisure facilities (£500 per dwelling or £80000 whichever is the greater, Highway improvement works (£60,000) and 25% affordable housing provision split as 15% social rented and 10% shared ownership. Outline planning permission was finally granted on 31 October 2005.

This site does not form part of Lawley Sustainable Urban Extension but is covered by the Design Codes. The site falls within the Lawley Village character area. The first of the Reserved Matters was granted in April 2007 and since that time the site has slowly been built out and approximately half of the dwellings have been completed or are under construction.

In addition one of the requirements of the outline permission was for the restoration of Lawley Farm House a grade 2 listed building. Condition 12 of the outline permission required that :

*No work shall commence on the development site until detailed plans for the renovation of the listed Lawley House have been submitted to the Local Planning Authority. The Plans submitted shall include a 'programme of implementation' in respect of the proposed works.*

Condition 13 required that the renovation works be carried out strictly in accordance with the 'programme of implementation'. A scheme for the conversion of Lawley House was granted in March 2007 and included a programme of work. As a result of the state of the listed building at that time, it was not possible to start works immediately as it was necessary for the original roof timbers to be dried out. The building has since been covered and protected but no restoration works have taken place.

**PROPOSAL:**

The current proposal is to amend the S106 agreement to provide 8 Social Rented dwellings and 7 Private Market Affordable dwellings, representing overall approximately 9.5% of the total dwellings to be built on the site. The Private Market Affordable will not be managed by a Housing Association but will be retained at a discounted price in perpetuity.

They are also prepared to commit to carry out the repair and conversion works to the listed building starting on site no later than the 30 September and completing the works within 12 months.

#### PLANNING HISTORY:

W2004/0980 Outline planning permission for Residential Development at Lawley Farm granted October 2005

W2007/0145 Reserved Matters approval for 148 dwellings and infrastructure works granted April 2007

W2007/0144 (Reserved Matters) and W2007/0142 (Listed Building Consent) for the conversion of the farm house to 2 dwellings granted March 2007.

TWC/2020/0028 Reserved Matters approval for the re-plan of block LF3 to provide 3 additional dwellings granted 11 June 2010.

TWC/2010/0817 Reserved Matters application for the re-plan of part of Block LF7. No additional dwellings proposed and a decision is currently awaited.

#### PLANNING CONSIDERATIONS:

Members will be aware of the difficulties facing developers in the current economic downturn. Some developers have stopped building and many have reduced the rate of build out to take account of the reduced availability of mortgages and hence sales.

In looking at requests, guidance has been provided by HCA in their document "Good Practice Noted – Investment and Planning Obligations – Responding to the Economic Downturn". This requires any request to modify a S106 agreement should be accompanied by a detailed financial appraisal and open book accounting process.

The applicants have provided a detailed viability assessment, including full supporting information on costs of development and sales values and marketing evidence supporting the sales. This evidence has been assessed by the District Valuer on behalf of the Council. Taking all issues into account the District Valuer is convinced that the scheme is not viable in the current market and that the developer will not make a profit. Even with the re-plan of the remaining blocks to provide a few additional dwellings will only serve to reduce the deficit. The restoration of the former farm house as required only makes the issue of viability worse.

As the developer has continued to build out the site, discussions have taken place with your officers to identify opportunities to reduce costs but without

compromising the quality of the development. While progress has taken place, the cost savings have only been of marginal significance. Your officers have strongly resisted requests for reduction in contributions for infrastructure works on the basis that such provision should not fall on the public purse. The extent of affordable housing provision is the only remaining element that could help the development's viability.

At present the developer has constructed or, is in the process of constructing, 15 affordable housing units. These units have not been finished but completed to first fix but still require plastering and doors, kitchen and bathroom units fitted and electrical points installed. The developer has offered to complete these units and pass 8 dwellings to a Housing Association for social rented housing. It is proposed that the remaining 7 dwellings should be marketed on the basis of the developer's discounted market value model - at 75% open market value. All units will be offered for a minimum period of 3 months to those registered on the Council's list of nominees. The future transfer of each unit will be controlled by restrictive covenant which will remain in force in perpetuity limiting its value to 75% of open market value at the time.

The Developer has requested that all other plots (yet to be built) will no longer be subject to the affordable housing requirements under the current S106.

All other S106 contributions towards education, highways and leisure facilities will remain unchanged. The Developers are also prepared to give an undertaking in any revised S106 agreement to restore and convert the listed building on the site with works to start by 30<sup>th</sup> September at the latest. There will be a commitment that the works will be completed within 12 months.

The Council's housing officer has considered the developers' discounted market value model which has been used at Warwick, where it appears to have been successful, and feels that this is an option that should be considered and will retain the dwellings at a discount rate in perpetuity. In addition, this will bring forward the dwellings that have nearly been completed as social rented properties.

The undertaking to restore and convert the listed building is also welcomed. Lawley Parish Council has been pushing for this listed building to be restored for some time.

Nearly half of this site has now been completed and officers consider that it is important that development continues and the listed building restored and occupied. It is felt that in these difficult times a reduction in affordable housing provision is not unreasonable as it would enable the development to continue and the site completed. Officers are however keen to ensure that this particular situation is monitored and that the affordable housing provision is time limited to reflect current economic circumstances. If the economy and housing market improves before the development is completed then the affordable housing provision can be reviewed. To this effect it is suggested that the S106 agreement should be reviewed on the second anniversary of this Plans Board meeting.

RECOMMENDATION: To amend the S106 agreement to provide for 8 social rented dwellings, 7 discounted open market dwellings with no further affordable dwellings to be provided. If the development is not completed within 2 years then the affordable housing provision should revert back to 25% or be subject to a further review, including a detailed independent viability report with all costs borne by the developer. Works to repair, restore and convert the listed farm house should be started by 30<sup>th</sup> September at the latest and completed within 12 months. All other financial contributions in the original S106 agreement to remain unchanged.