

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 30th March, 2011 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

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

ALSO PRESENT: Councillors A.G.P. Williams (for planning applications TWC/2010/0589 and TWC/2011/0084), V. Tonks (for planning application TWC/2011/0053) and K.S. Sahota (for planning application TWC/2010/0637)

PB-99 MINUTES

RESOLVED – that the minutes of the meetings of the Plans Board held on Wednesday, 9th March, 2011 be confirmed and signed by the Chairman.

PB-100 APOLOGIES FOR ABSENCE

None.

PB-101 DECLARATIONS OF INTEREST

Councillor D.R. Chaplin declared a personal and prejudicial interest in planning application TWC/2010/0518 and stated that he would leave the room during determination thereof.

PB-102 DEFERRED/WITHDRAWN APPLICATIONS

RESOLVED – that determination of planning application TWC/2010/0637 be deferred until the meeting of the Plans Board on 13 April, 2011 to allow Members to make a Site Visit.

PB-103 SITE VISITS

RESOLVED – that a Site Visit in respect of planning application TWC/2010/0637 be held on Wednesday, 13 April, 2011 at 4.15 p.m.

PB-104 PLANNING APPLICATION FOR DETERMINATION

(a) TWC/2010/0518 – 75a Regent Street, Wellington, Telford, Shropshire

This application sought planning permission for the erection of a two-storey side extension to the dwelling and car-parking on the existing front garden. The application site was a traditional inter-war, two-storey semi-detached house with bay windows, a gable on the front elevation, and a hipped roof. A 1.2m. timber fence acted as the side boundary with No. 77 Regent Street, which was further screened by a maintained mature hedge approximately 2m. in height.

Wellington Town Council had objected to the application on the grounds that the proposal would be too close to the property boundary. However, the Council did not apply a 'one metre' rule for two-storey side extensions, preferring to look at each case on its merits. Adjacent properties had been consulted and no comments had been received.

The proposed extension would be a little over 2.5m. in width and set back from the existing front elevation. Its proposed design would reflect the original architectural features of the dwelling, including a hipped roof at the same pitch, matching window and rendering details. Therefore, it was considered that the extension would be sufficiently subservient in its scale and massing and of a design that would respect the character of the existing house and of the adjoining semi-detached property. As there were no windows indicated on the side elevation, there would be no overlooking or unacceptable loss of privacy and, additionally, the proposal would not result in the loss of usable private amenity area.

The extension would adjoin the boundary with No.77, a detached two-storey property of a different design with a single storey element to the side with a flat roof, which was approximately 1m. from the boundary with No.75a. This, together with the existing hedge, would prevent any 'terracing' effect which would harm the street scene.

With regard to the provision of parking on the front garden, it was considered that the proposal would not significantly detract from the character of the street scene, the amenities of the area, or the residential amenities of adjacent properties. Approximately half of the existing front wall would remain, thereby retaining an element of enclosure in keeping with surrounding properties. Although the proposal would result in reduced room for manoeuvring vehicles on the site, the Council's Highways Officer did not consider this to be an issue due to the traffic calming measures on Regent Street and the fact that it was not a main road. Subsequently, the proposal would not prejudice the free flow of traffic or the safety of highway users. However, it was recommended that a condition be imposed to ensure that the parking spaces indicated on the submitted drawing were provided.

RESOLVED – that with regard to planning application TWC/2010/0518 planning permission be granted subject to the conditions as set out in the report.

(b) TWC/2010/0589 – Little Dawley Snooker Club, Holly Road, Little Dawley, Telford, Shropshire

The application for the change of use of the existing Snooker Club (Use Class D2) to a convenience retail store (Use Class A1) had been deferred at meeting of the Plans Board on 9th March, 2011 to enable Members to make a Site Visit.

The update report tabled at the meeting informed the Board that a petition with approximately 180 signatures had been submitted to the Local Planning Authority in support of the proposal.

Following issues raised at the previous meeting of the Board, the update report set out further information from the Highways Engineer for the purpose of clarification, with regard to access, parking and rights of way.

The location of the access to the car park was acceptable although, when brought into use for the supermarket, it should be formed with radius kerbs including a tactile crossing across the bell mouth rather than the simple dropped kerb footway crossover access as at present. As these works would take place within the public highway, the details of the design and materials would require approval prior to construction. Members were asked to note that there were no visibility splay issues with the access.

There were no concerns with regards to the parking layout and the proposed parking space provision was in line with the Wrekin Local Plan guidance, although its parking policies had not been 'saved'. The submitted layout showed 19 spaces, which was acceptable, but an issue could arise with the space closest to the access depending on the nature of the kerbed works. If this space was likely to interfere with the operation of the access, then it should be omitted from the parking layout, leaving 18 spaces. A revised parking layout would be required but the details could be included in the drawings submitted for the access works.

Whilst there had been some local objection to the arrangement of parking immediately in front of the shop, the Highways Engineer had no objections, as the area had been used for parking for many years and had a full length dropped kerb to permit access. 3 of the parking spaces should be allocated as 'staff only' in order to minimise the movement of vehicles on and off the highway at this point and this had been agreed by the applicant. Members were asked to note that the extant use of the application site had no restriction on the use of parking across this area.

There were no concerns with the Right of Way across the site but further details would be required of the way in which it would be marked out on the site to clearly delineate it from the car park before the site was brought into operation. The kerbed access works would also better define the route where it met Holly Road by creating a clear desire line for pedestrians around the access and onto the footway.

Councillor A.G.P. Williams, Ward Member, spoke against the application and voiced his concerns of the impact this development, if approved, would have upon existing businesses in the area. He asked if a Retail Impact Assessment (RIA) had been carried out in respect of the application and made reference to the Covenant placed on the premises in 1979 to protect small businesses in the area from such a development as that being considered.

Mr. A. Scott, on behalf of local residents, referred to the likely increase in traffic and potential accidents that could occur if the application was approved. In addition, he requested Members to consider the impact approval would have upon the proposed development of Paddock Mount and upon local small businesses with a potential for job losses. As he considered there was little scope for further housing development in the area, he did not agree with the need for another Convenience Store.

Andrew Rowson, the applicant's agent, spoke in support of the application. He referred to the current poor condition of the building in which the applicant was prepared to make a significant investment to improve both its condition and access. Internal and external improvements would be made and the overall design was in accordance with planning policy. Improvements to the soft landscaping would increase visibility, the car park would be resurfaced, the Right of Way maintained and the existing lamp standard removed. There was local support for the application as shown by the petition with 180 signatures. In conclusion, the change of use would provide modern facilities, a wider ramp, a good range of services, and employment for local people. With regard to the Restrictive Covenant referred to by Councillor A.G.P. Williams, he stated that this could be challenged legally but was outside of the planning remit.

The Planning Officer responded to the comments raised by the public speakers. With regard to the question from Councillor Williams as to whether a RIA had been carried out, he explained that government guidelines did not require one for a store of this size. However, PPS4 did require a sequential assessment to be undertaken to ascertain whether there were any other suitable premises in closer proximity to existing centres and the applicant had demonstrated that there were none close to the local centre. In addition, officers considered that the size and floor space of the proposed convenience store would have no discernable impact on either the local centre or Dawley and would have positive regeneration and economic benefits. Whilst the proposed store would operate in direct competition to other local facilities, this was not a planning issue unless it was considered likely to undermine existing centres. He drew the Board's attention to the update comments of the Highway's Engineer, to the concerns expressed by the Ward Member and local resident, and to the Site Visit made by the Members. The proposal would rationalise the current car parking, delineate the line of the Right of Way, and address the untidy nature of the site and decline in the building's fabric, which was having a deleterious impact on the local community. Discussions relating to enhancing the wide tarmac area on the site had been held with the applicant's agent earlier that day and he had indicated that his client would be willing to accept a condition that the appearance of the site through appropriate hard and soft landscaping could be implemented. In conclusion, while the loss of the Snooker Club was regrettable, approval of the change of use would provide a local shop to the benefit of the local community.

Members considered that the application would address a site that was becoming an eyesore, a situation that would only worsen if no action were taken. Councillor G.M. Green asked for an assurance that an appropriate number of disabled parking spaces would be provided and the Chairman responded that this could be conditioned accordingly. With regard to the Restrictive Covenant on the premises, the Council's Solicitor advised the Board that this was not a relevant planning issue and could be dealt with through a separate process. Councillor G.M. Green suggested that, given the strong local feelings on this application, the Ward Members and the applicant work together to finalise the details of the design but the Head of Housing & Planning explained that, as the scheme was only for the conversion of an existing building, there was a limited amount that could be done other than to improve the frontage. Therefore, he advised the Board to determine the application on the basis of the scheme before them.

RESOLVED – that with respect to planning application TWC/2010/0598 planning permission be granted subject to the conditions as set out in the report and to additional conditions relating to the upgrading of the appearance of the hard and soft landscaping of the tarmac and the provision of an appropriate number of disabled parking space.

(c) TWC/2011/0011 – The Old Lodge, School Road, Donnington, Telford, Shropshire

This was an application for planning permission for the erection of 2-storey side and rear extensions to an existing block of 4 flats to provide 4 new flats on a site within the grounds of the Donnington Recreation Ground. The existing building comprised three 1-bedroom flats and one 2-bedroom flat and the resulting 8 flats would comprise six 1-bedroom and two 2-bedroom flats, with shared laundry facilities, external amenity space, and a communal parking area. Vehicular access to the site was gained from School Road via a public car park which served the adjoining recreation facilities. 10 car parking spaces would be provided as part of the proposal.

Lilleshall, Donnington & Muxton Parish Council had objected to the application for the reasons set out in the report. The Council's Highways Engineer had no objections, subject to the provision of an additional visitor parking space. Originally 9 parking spaces had been shown for the 8 flats but this had now been amended to provide 8 residents' spaces and 2 visitor spaces, which was considered adequate for the development.

The application site was designated as Green Network in the Wrekin Local Plan, where residential development would not be permitted unless there were exceptional circumstances or the development brought community or environmental benefits. With regard to this application, not all of the Donnington Recreation Ground was shown within the Green Network and officers considered that the application site itself possessed very limited amenity, ecological, recreational or landscape merit and, therefore, did not fulfil any of the original aims of the Green Network. Furthermore, the proposed development would not take place outside the existing curtilage of the site or encroach into the surrounding open space. Therefore, officers considered that the proposal to provide additional flats within an existing residential curtilage was acceptable.

The site was large enough to accommodate the extension and additional flats, together with their amenity space and parking provision. The proposal had been designed to match the size and scale of the existing flats and complimented and enhanced their appearance. In addition, the contemporary design and appearance would respect the 2-storey dwellings on the adjacent School Road and the massing was intended to reflect the character of the original building with its low roof pitch. The external materials comprised contrasting facing bricks, white render, and red stained timber cladding for the walls, and matching concrete tiles on a monopitched roof.

It was considered that the development would not have a detrimental impact on the character and appearance of the site and would not have an adverse effect on the playing facilities on Donnington Recreation Ground. Although the proposed

extension and extra parking would result in the loss of some amenity space within the curtilage of the plot, the resulting car parking and re-landscaped grounds would still provide amenity space of adequate size and function so as not to be detrimental to the residents living in the flats.

The application had been advertised as a departure from the Development Plan and this consultation expired on 7th April, 2011. Therefore, the recommendation would require delegation to the Head of Housing & Planning for approval, subject to no new issues being raised.

Members welcomed the scheme which would enhance the existing building and provide increased security for the area. Councillor D.R. Chaplin said that the site's location within the Green Network was unusual and asked if it was possible to limit any future development. The Planning Officer responded that any such application would be dealt with on its merits at the time of submission. In addition, the site had a well defined curtilage and any further development would encroach on the car parking, which was an important amenity. The Head of Housing & Planning added that the Council took Green Network land seriously and Members needed to be convinced that this application was a reasonable exception to the relevant policies when determining the application.

RESOLVED – that with regard to planning application TWC/2011/0011 the Head of Housing & Planning be authorised to grant planning permission subject to no new issues being raised and to the conditions as set out in the report.

(d) TWC/2011/0053 – 27 Heath Hill, Dawley, Telford, Shropshire

This was an application for outline planning permission for the erection of 6 residential dwellings on the existing garden land and open space to the rear of the property, an approximately 'L' shaped site in an elevated position above the properties on Heath Hill. All matters were reserved except for access, which was proposed onto Heath Hill. Councillor V. Tonks, Ward Member, had requested that the application be determined by the Plans Board.

Whilst this was an application for outline planning permission only, the indicative plan submitted proposed a row of 3 terraced dwellings fronting Heath Hill between the existing access to Burton Close and the proposed site access, with a further row of 3 terraced units at the rear of No.27 Heath Hill. Rear private amenity space was proposed for each unit and 9 parking spaces for the 6 units with 2 parking spaces for No. 27 Heath Hill.

Great Dawley Parish Council had not objected to the proposal but did consider that there were sewage issues in the area. Councillor Tonks had raised concerns regarding drainage issues, whether the site could accommodate 6 dwellings, and the potential overlooking of Burton Close.

The application site had no formal designation within the Wrekin Local Plan and could, therefore, be considered for development. It was located within a highly sustainable location on the edge of Dawley District Centre in a predominantly residential area and, therefore, the principle of development was acceptable.

Existing dwellings in Heath Hill were traditional detached properties, although there was no distinct character of development in this part of Dawley. Therefore, whilst the addition of 6 properties would increase the density of development in the area, it was not considered that it would significantly or detrimentally alter its character. The proposal would lead to a loss of some open space but planning permission had previously been granted for change of use of part of the land to private garden area (W2007/0452).

The creation of a new access to serve the proposed properties and No. 27 Heath Hill was considered acceptable being a sufficient distance from the entrance to Burton Close and the Council's Highways Engineer had no objections subject to appropriate conditions. In indicative form, the proposal could accommodate on-site parking for both the new and existing dwellings and would not adversely affect highway safety.

Whilst the concerns of Great Dawley Parish Council and Councillor Tonks were noted regarding existing drainage problems in the Heath Hill area, officers had established that the site was adjacent to a main sewer system. Therefore, whilst the application was for outline consent only, it was considered that it could be adequately drained subject to appropriate drainage conditions.

With regard to ground conditions in the area, the Council's Geotechnical Engineer required a site investigation to aid the design of suitable foundations for the development, which could be dealt with by condition. As it was likely that the development would require the removal of some trees and shrubs within the garden area of No.27 Heath Hill and of adjacent land, details of suitable replacement trees and hedges would be required to address the loss of existing screening to protect character and amenity.

The proposed site layout plan made reference to 'possible access to open green area' and, as the remaining open area was outside the application site and in order to protect it from future development, it was considered that there should not be an access point into this area. As the layout of development was not being considered at this stage, it was suggested that a condition be imposed to state that such a layout was not approved and further details would be required at the reserved matters stage.

Councillor V. Tonks, Ward Member, spoke against the application and informed the Board that there was an ongoing sewage problem in this area, which would worsen if the application was approved. He considered that a full investigation of the sewage and drainage in the area was required to ascertain whether these problems were the result of a blockage or a capacity problem. In addition, the increased traffic arising from the development would be detrimental to the adjacent sheltered housing scheme. In conclusion, he objected to the use and loss of green space.

The Planning officer responded that Council Officers had sought further advice on the drainage and had acknowledged that there had been very localised problems. Therefore, the applicant would be advised to further consider this aspect of the scheme and he recommended that any approval be conditioned to require full details to be agreed with the Local Planning Authority prior to the commencement of the development to ensure that there was no exacerbation of the problems. He

accepted that there would be some loss of green space but the conifer trees and privet hedge that would be removed would be replaced by more acceptable species.

Members considered that the application was acceptable subject to the issues with the drainage being resolved to the satisfaction of the Council before development commenced. The Planning Officer responded that this could be addressed by the imposition of a standard condition.

RESOLVED – that with regard to planning application TWC/2010/0755 planning permission be granted subject to the conditions as set out in the report and to an additional condition requiring full details of the foul and surface water scheme to be agreed by the Local Planning Authority prior to the commencement of development on the site.

(e) TWC/2011/0060 – Tree Tops, 45 Paradise, Coalbrookdale, Telford, Shropshire

This application sought retrospective planning permission for the erection of a new front porch, balcony, and white cladding together with decking to the rear with fencing and the installation of replacement UPVC windows. Work to the front garden to provide hard standing for parking, landscaping and the erection of walls and railings had not been completed. The property was located within the World Heritage Site and The Gorge Conservation Area within a predominantly residential area. Due to its location and surroundings, the property, along with the majority of those on Paradise, was well screened from the main thoroughfare through the Gorge.

The property was a 1970s detached dwelling situated on a steep slope elevated above the road side with a partly buried detached garage on the front left hand side, adjacent to the road. Access from the highway was on the front elevation and the frontage had paving and an entrance through a recently built white cladded porch with a wooden effect UPVC door. The rear of the dwelling was accessed via steps at the side leading to a steep garden, bounded by trees and decking with railing and fencing. .

The Gorge Parish Council had objected on the grounds outlined in the report. Built Heritage Conservation had objected to the use of UPVC as inappropriate in a Conservation Area or World Heritage Site (WHS) and did not support the design of the windows as they appeared over dominant. However, PPS5 acknowledged that not all elements of the WHS positively contributed to its setting and, as the property was not located in an overlooked area and was a late 20th century build with no historical interest or architectural value, there was not a clear cut case for resisting in this particular case.

Cllr Louise Lomax, the Ward Member, had also raised concerns about the principle of UPVC windows in an Article 4 designated area but had commented that, whilst many houses in the street had such windows, most were in place before the designation thus setting a precedent for the future. Two letters of objection had been received from a neighbouring property, raising the issues listed in the report.

Application TWC/2010/0479 for similar work together with the erection of a two-storey extension had been withdrawn following concerns from the Case Officer, as set out in the report. This application had addressed those concerns by omitting the two-storey element and replacing the brick pillars with railings. The main issue, therefore, remained the use of UVPC windows within the WHS. Properties along Paradise were a mixture in terms of age, design and appearance and the majority had UPVC windows and doors, which were similar to those already installed in 'Tree Tops'. The Council continually resisted the installation of UPVC within the WHS but a recently allowed appeal was a material consideration in considering this application. In that instance, while the property was sited within the WHS and Conservation Area, the combination of the design, age and location meant that UVPV replacement windows would not be a prominent or materially harmful feature and out of keeping with the character of the existing property or the surrounding dwellings. Following this decision, the Council had been unable to apply a blanket refusal to UPVC windows within the Gorge Conservation Area and the WHS. This application had similar characteristics to the allowed appeal and, consequently, it was reluctantly considered that the proposal was satisfactory and would accord with local and national policies.

The applicant wished to form a balcony over the existing porch and proposed to remove the existing brick pillars and replace them with metal railings. As described in the report, other properties in the area had balcony designs to their frontage to take advantage of the views. The position of 'Tree Tops' meant that there were no properties to the front and the rear had a private outlook due to existing trees and hedges.

Part of the front garden would be dug back and a retaining wall erected of red brick to match the property to create a grassed area to provide an additional 2 car parking space. The driveway would be in grey patterned concrete to match the adjoining property and the existing corrugated sheeting covering the garage roof would be replaced with waterproofing covered by a green roof, which would lead onto a garden area. For safety reasons black metal railings would be installed around the perimeter of the garage roof and along the top of the retaining wall. This would not prejudice the safety of highway users and its proposed design was acceptable as there would be no adverse affect on residential amenities.

Fraser Lamont, the applicant, spoke in support of the application, and assured the Board that he fully appreciated the heritage aspects given the location of his property in a Conservation Area and World Heritage Site. However, the property was not sited on a main thoroughfare and he was of the opinion that UPVC windows and a door would be acceptable given the age of the property. The windows were of an identical size to the original ones and also to those at No. 44 Paradise and on many other properties within The Gorge. He informed the Board that the proposed work to the drive ways and landscaping would provide car parking spaces for his visitors especially in the summer when the area was busy with tourists. The new porch would provide space for an additional bedroom and the work to the roof of the garage would allow him to utilise a flat open space.

In presenting the application, the Planning Officer said that the application was acceptable with the only issue being the installation of UVPC windows. He referred

to the recent appeal decision described in the report and advised Members that it was necessary to take a pragmatic view in this instance given the age and design of the property and its relatively secluded position. .

Members considered that the proposed scheme would not be dominant in the area as it would be similar to the adjacent property. However, Councillor D.R. Chaplin asked if it was possible to ensure that the appearance of the property was not materially altered in the future and that it remained of its period. The Head of Housing & Planning responded that any future changes would have to be considered by the Board but, that as the property was not a Listed Building, the Board was not able to put in place any restrictions.

RESOLVED – that with regard to planning application TWC/2011/0060 planning permission be granted subject to the conditions as set out in the report.

(f) TWC/2011/0084 – Aqueduct Pharmacy, Majestic Way, Aqueduct, Telford, Shropshire

This application requested retrospective planning permission to remove condition 3 of planning permission W2006/0477 to allow the pharmacy to be converted into a convenience store and pharmacy to meet a demand from the local community. The application site was located within an area designated as ‘Green Network’ but planning permission had been granted as it provided a community benefit but, to ensure this was retained, a condition had been imposed to prevent the pharmacy from being used for any other purpose.

The pharmacy was located within the community centre/local centre of Aqueduct adjacent to a car parking area with approximately 15 spaces with an established convenience store, Majestic Stores, being located approximately 200m to the north of the application site. Two thirds of the Pharmacy building had recently been converted into a convenience store with an area towards the rear being used as a pharmacy with a private consultation area and storage beyond and also on the first floor. New signage had been added to the building with ‘Costcutter’ branding with a number of ‘A’ boards and smaller adverts around the building. The Ward Member, Councillor A.G.P. Williams, had requested that the application be determined by the Plans Board.

Dawley Hamlets Parish Council had objected as it considered that insufficient evidence had been provided to indicate a material change which would permit the removal of condition 3. There was considerable local opposition to the application, mainly based on the perceived negative impact it would have on existing grocery outlets in the area. 50 neighbour letters had been received from residents in Aqueduct raising the objections as listed in the report.

Policy CS10 specified that doctors’ surgeries (in this case a Pharmacy) and local shops constituted community facilities which should be located within local centres where there was good accessibility by foot and public transport. Majestic Way was the route of several regular bus services and the Community Centre car park, which served Aqueduct Surgery and Pharmacy, could be utilised by the customers of the shop.

Whilst officers did not agree with the applicant's assertion that the Pharmacy was now the core service of the premises, as only a small area was assigned to that function and the main use was that of a convenience store, given these two uses the development would still meet the criteria set out in the Green Network policies. Therefore, the principle of development was acceptable and accorded with national and local planning policy.

Whilst the pharmacy was located approximately 200m from the existing Majestic Stores, it was the role of the Local Planning Authority (LPA) to ensure that such facilities were located appropriately to ensure the vitality and viability of Town/District Centres. Furthermore, the proposal would not set a precedent for further changes of use of other premises, as the area was predominantly residential.

In response to the concerns raised by local residents, officers had discussed the issues of the reduced size of the pharmacy and availability of products with the General Pharmaceutical Council's (GPC) Standards Advisory Team, which had confirmed that there was no minimum area but that it was essential that the pharmacy provided an effective service. In this regard, one of the Aqueduct pharmacists had confirmed that an Inspector visited the site within the last month and was satisfied with the system of working and availability of stock, which he had stated has not significantly changed from when the premises was only a pharmacy.

With regard to the concerns expressed on the conflict between the sale of tobacco products and the role of a pharmacy, the GPC had confirmed that there were standards and a pharmacy should not be selling/displaying products that were dangerous to health. However, if such products were located outside the area registered by the GPC and the pharmacist was not involved in selling them, they could be sold from another part of the premises. Whilst there was a clear distinction between the role of the pharmacists/dispensers and the shop staff, Members were reminded that it was not the role of the LPA to control specific elements which were for sale and that appropriate guidelines and governing bodies considered it acceptable.

The approved application did not condition hours of use but the current opening hours of the convenience store were 7am – 9pm seven days a week, with those of the pharmacy being 9am – 6pm Monday to Friday closing for an hour at lunchtime. The proposed opening hours of the shop were later than the hours at Majestic Stores and, given the proximity of the pharmacy/shop to residential properties, it was considered that a more appropriate closing time would be 8pm on weekdays and Saturday and 6pm on Sunday. It was, therefore, recommended that the hours of operation be conditioned as 7am – 8pm Monday to Saturday and 7am – 6pm Sunday.

It was considered that existing parking provision at the community Centre was sufficient and, given that off-street parking was available within the existing car parking area, the proposal would not have a detrimental impact on highway safety.

Officers did not consider that the shop and pharmacy would result in anti-social behaviour in the area, as there did not appear to be such problems at the Majestic

Stores. This had a litter bin at the front and it was suggested that a condition be imposed that details be provided of a litter bin at the front of the shop and pharmacy to address potential litter problems.

In conclusion, it was recommended that planning consent W2006/0477 be reissued with the removal of condition 3 to allow the pharmacy to be used as another use within A1, including as a shop. It was also proposed to add a new condition to ensure that the element of pharmacy within the shop was not reduced or removed, together with a condition regarding appropriate opening hours to protect adjoining residential amenities given the proximity of the site to residential properties.

The signage would require separate advertisement consent. However, the number and ad-hoc arrangement of signs was considered unacceptable and detrimental to the character and appearance of the building and area and would require amendment.

The update report tabled at the meeting informed the Board that officers wished to amend the conditions set out in the main report by the omission of the condition which stated that the Pharmacy element should not be reduced and removed from the premises and be replaced by the imposition of a standard condition stating that the development should be carried out in accordance with the submitted plans and details as the Pharmacy element was included on the submitted floor plan.

Councillor A.G.P. Williams, Ward Member, spoke against this retrospective application as he considered that the additional use of the premises as a grocery shop had already had a damaging impact upon local businesses. He also requested clarification of the wording in the officer report that 'The Council's Highways Engineer supports the proposal' and the Head of Housing & Planning advised that this comment be discounted and be interpreted as meaning the Highways Engineer had no objections to the application. He subsequently apologised to Councillor Williams for speaking during his allocated five minutes of public speaking.

The Planning Officer drew the Board's attention to the update report and the removal of Condition 3 of planning permission W2006/0477, as it was not within the power of the Local Planning Authority to impose it on the current application. With regard to Councillor A.G.P. Williams' comments on the impact upon local businesses, he said that it would be difficult to justify refusal of the application on those grounds given Policy CS10 of the Core Strategy, which had been adopted subsequent to the planning approval. In determining this application for a change of use, the Board needed to be mindful of both updated Policy and the value to be gained from an increase in community services and facilities.

Further to this point, Members referred to the map included with the officer report and considered that the distance between the application site and the Majestic Stores was acceptable as they were located in two small 'mini-centres'. The Chairman recommended that the proposed hours of operation should be amended to restrict the hours on a Bank Holiday to 7am – 6 pm in addition to Sundays.

RESOLVED – that with regard to planning application TWC/2011/0084 planning permission be granted subject to the amended conditions as set out in the update report tabled at the meeting.

(g) TWC/2011/0101– St. Luke’s Catholic Primary School, Church Road, Trench, Telford, Shropshire

This was an application by Telford & Wrekin Council for the erection of an external freestanding glazed canopy measuring 11.5m x 6.5m x 3.83m in height over an external play area in a recess between the main school buildings. The curved roof of polycarbonate glazing panels would be supported by 6 steel uprights with 2 steel downpipes dark, ‘moss green’ in colour. The existing external play area served the Reception Class and there was a requirement to provide an external play area that could be utilised all year in all weather conditions.

The proposed canopy would not protrude beyond the line of the existing school buildings and, therefore, would have little visual impact and the colour of the steel framework would be sympathetic to the site. Nearby residential properties on Pinewood Avenue and Broadway Avenue were set well back and the proposal would not have a significant impact on amenities currently enjoyed by these residents.

RESOLVED – that with regard to planning application TWC/2011/0101 the Head of Housing & Planning be authorised to grant planning permission following the expiry of the neighbour consultation period and subject to the conditions as set out in the report.

The meeting ended at p.m.

Chairman:

Date:

TELFORD & WREKIN COUNCIL

PLANS BOARD

13TH APRIL 2011

Schedule 1 - Planning applications for determination by Board

TWC/2010/0637 Land adjacent, 34 Rhodes Avenue, Dawley, Telford, Shropshire, TF4 2EE Erection of 1no. detached 2 bedroom dwelling *** Amended Plans Received ***	2
TWC/2010/0688 Land Adjacent to, 53 Maslan Crescent, Tibberton, Shropshire, TF10 8PB Erection of detached four bedroom dwelling *****Amended plans recieved*****	7
TWC/2010/0715 349 Holyhead Road, Wellington, Telford, Shropshire, TF1 2EZ Erection of a two storey detached dwelling (Amended plans and information received)	15
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TWC/2010/0637 Land adjacent, 34 Rhodes Avenue, Dawley, Telford, Shropshire, TF4 2EE
Erection of 1no. detached 2 bedroom dwelling ** Amended Plans Received **

APPLICANT
Winthorn Developments Ltd

RECEIVED
04/11/2010

PARISH
Great Dawley

WARD
Malinslee

THIS APPLICATION WAS DEFERRED AT 30TH MARCH 2011 PLANS BOARD TO ENABLE MEMBERS TO UNDERTAKE A SITE VISIT

There have been no updates to the Plans Board report which is attached below for information. The recommendation is for Approval subject to conditions.

COUNCILLOR SAHOTA HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and design, Character and appearance, Impact on adjoining residential amenities, Highways safety

THE PROPOSAL:

The application seeks full planning permission for the erection of 1no. detached 2 bedroom dwelling at land adjacent to 34 Rhodes Avenue, Dawley.

SITE AND SURROUNDINGS:

The application site comprises garden land to the side of No.34 Rhodes Avenue and is bounded by timber fencing and a hedgerow, with Rhodes Avenue and a narrow access track to the north and west of the plot. The existing dwelling is an established red brick end-terrace property, with its rear elevation facing the garden area of No.33. No.34 has a door at ground floor and 2 windows at first floor on the side elevation, but these are not habitable room windows, serving landing and bathroom.

The arrangement of the gardens for the row of properties is such that No.34 has only a side garden with no rear garden area; and the entire garden area to the rear of No.33 and 34 serves No.33 only. This is the same arrangement for No.31 and 32 at the other end of the terrace. Opposite the site are the rear garden areas/ parking for properties in Alma Avenue; no properties front the development site. The access track to the side provides vehicular access to garages at the rear of No.s 28 to 30, but is principally a pedestrian access to the nearby school.

The site is located in an established residential area, close to services and facilities. The area comprises a mix of 1930s-40s hipped 2-storey buildings, semi-detached or rows of 4 terraced properties.

PLANNING HISTORY:

Pre-application enquiry regarding the erection of a detached dwelling on the site. Officers advised that there were some reservations to the proposal as there was limited amenity space available for the existing property and due to the existing arrangement of garden land in Rhodes Avenue. The Applicant's Agent sought to address these concerns in the formal application.

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing

Core Strategy:

CS1 Homes
CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria
H6 Windfall Sites

CONSULTATION RESPONSES:

Great Dawley Parish Council: no objection

Highways: no objection subject to condition regarding car parking.

Drainage: No objection subject to details of foul and surface water drainage and greenfield runoff rates. The applicant must provide details on the location of the system and must have permission from properties in Alma Avenue to discharge into the private foul system before connection can be made.

Geotechs: no comments

Ecology: no objection subject to informatives regarding Nesting birds (vegetation), Replacement planting, and Bird boxes

Contaminated Land (Environmental Health): no comments

Shropshire Fire Service: no objection subject to informatives regarding access and sprinkler systems.

2 neighbour letters and a petition containing 11 names have been submitted, with the following comments:

- Design and character of proposal not in keeping with prevailing form of development
- Existing narrow road access
- Insufficient parking

- Safety of children walking to and from school during construction
- Inconvenience to residents accessing properties, parking and manoeuvring vehicles
- Silver Birch tree removed from site
- Dispute garden would become 'derelict land'
- 'Garden grabbing' should be discouraged

PLANNING CONSIDERATIONS:

The site is located in a residential area within the built up area of Telford. The site has no land allocation within the Wrekin Local Plan and can therefore be considered for development. The proposal comprises a small detached property with 2 bedrooms and a kitchen/diner and lounge area. The existing garden area to No.34 Rhodes Avenue would be subdivided to create the new plot and a reduced garden area to No.34. The garden area to the new property would be located on the triangular piece of land to the front and side, with bin storage to the rear. Garden land to No.34 would be located between the existing and proposed dwellings and to the front.

The plans have been amended following discussions with officers to ensure sufficient amenity space is provided for both the existing and proposed dwellings and to minimise problems of overlooking/ loss of privacy of adjoining properties in Rhodes Avenue given the existing arrangement of development and garden land. The building has been repositioned away from No.34 to provide usable amenity space to the side of the property. There are now no habitable room windows at first floor on the rear elevation of the new dwelling following the relocation of the bedroom window to the side elevation, thus there will be no overlooking of properties to the rear. It is now considered that there will be no detrimental impact on adjoining residential amenities following these amendments to the plans. Furthermore, a condition can be imposed to ensure no additional windows are added to the development (within the condition regarding the removal of permitted development rights).

Whilst the new property would be of a different form and design to the terraced row, the materials and detailing would match the prevailing character and appearance, with matching roof eaves and ridge height and window proportions. Materials are proposed to match the existing properties in Rhodes Avenue with multi red facing brickwork, feature bonding and red plain tiles. The proposal is considered acceptable in terms of the scale, design, form and materials and would comply with policies UD2 and CS15 and planning guidance contained in PPS1 and PPS3.

One parking space would be provided at the front of the site and a space for No.34. It is considered that the new property can be adequately accessed with sufficient parking provision for the existing and proposed properties, thus the proposal is in accordance with planning policy H6.

In response to the other neighbour comments, whilst it is noted that it is a narrow access road, the proposal includes offstreet parking provision and a single space is sufficient for a 2-bedroom dwelling. A condition can be imposed to ensure that details are provided of parking of construction traffic

and storage of materials in order to minimise inconvenience to adjoining residential properties and protect highway safety users on the pedestrian access to the side of the site. The loss of the silver birch tree could be addressed by suitable replacement landscaping scheme controlled by condition. 'Garden grabbing' is a reference to the updated PPS3 whereby private residential gardens no longer constitute previously developed/brownfield land, enabling Councils to protect gardens from inappropriate development by rejecting planning applications for development that is objected to by the local community and spoils the character of neighbourhoods. In this regard, officers note that local residents have raised concerns about the proposed development; however officers consider the development is acceptable on balance and that sufficient garden land will remain and will not adversely impact on the character of the area or on residential amenity.

The Applicant's Agent has also sought to respond to the neighbour concerns:

- Imposition of conditions could control deliveries and construction programme in relation to school times etc.
- When No.34 was renovated, there were no problems between residents and contractors
- Prior to renovation of 34, no off road parking provided
- Suitable materials and detailing to match existing properties will ensure development is in keeping
- Silver Birch was damaged and leaning over access road – danger to pedestrians

In conclusion, the proposed scale, design, form and materials of the development is considered acceptable in regard to the context of the site and area and there will not be a significant impact on adjoining residential amenity. The scheme proposes sufficient amenity space and parking to existing and proposed dwellings. Accordingly the proposal accords with national and local planning policy.

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

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample brick panel
4. B14 Landscaping design
5. B23 On-site construction
6. B24 Mud on road
7. B33 Foul and surface water
8. Bcustom Greenfield runoff rates
9. C19 Car parking
10. C38 Development in accordance with plans
11. D01 Removal of all permitted development rights

REASON FOR APPROVAL:

The principle of residential development is considered acceptable within this location in the built up area of Telford. It is considered the scale, design, form and materials is acceptable in terms of the context of the site and area, with provision of sufficient amenity space and parking. Furthermore, the development will not have a significant impact on the residential amenity of adjoining properties.

TWC/2010/0688 Land Adjacent to, 53 Maslan Crescent, Tibberton,
Shropshire, TF10 8PB
Erection of detached four bedroom dwelling *****Amended plans recieved*****

APPLICANT

Longford (UK) Limited, Gavin Major

RECEIVED

22/07/2010

PARISH

Tibberton and Cherrington

WARD

Edgmond

TIBBERTON AND CHERRINGTON PARISH COUNCIL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Whether the proposal would meet the Council's housing location policy, the effect the proposal would have upon the character and appearance of the area, whether the proposed dwelling is likely to remove the adjoining sports facility, highway safety and residential amenity.

THE PROPOSAL:

This is a full application for the erection of a four bedroomed detached dwelling on a former garage site located adjacent 53 Maslan Crescent.

Following officer concerns about the size, scale and height of the proposed dwelling, and the fact that No.13 Maslan Crescent has been extended, which was not shown on the location/block plan the scheme has been amended. The ridge height of the building has been lowered to match the adjacent properties, and no.13's extension added which has enabled measurements to be taken to check that the separation distances between the proposed and existing dwellings are sufficient to ensure that there were no issues in respect of loss of amenity. Neighbours have been reconsulted as a result of the amendments.

SITE AND SURROUNDINGS:

The site occupies a corner location and comprises a former garage court with 6 garage lock-ups adjacent to No.53 Maslan Crescent, a two-storey semi-detached property in an established housing development. The site is enclosed with timber panel fencing to sides and rear, and wire mesh fencing to front. Estate roads are located to the east and south of the site, with access to garaging, Tibberton primary school, sports pavilion, tennis courts and sports ground beyond. It is wholly located within the village of Tibberton, which is one of the 3 rural settlements identified for new housing.

The adjoining sports ground has a multi-functional role, and is a well used recreation ground, benefiting the adjoining Tibberton Primary school, local village cricket clubs, who play regular matches on the sports ground, and football teams. The cricket pitch is laid out in a central position on the sports ground. The majority of dwellings in Maslan Crescent are some 20 metres

from the edge of the sports School and garages, with a shorter distance between No.53 Maslan Crescent and No.52 opposite of some 14 metres, with end gables facing the sports field.

PLANNING HISTORY:

Outline Planning application W2008/1054 was refused in September 2008.

By way of background the LPA considered that the number of houses committed within the rural area to meet the rural housing requirements had already exceeded the 170 dwellings set out in CS1 to meet local need to 2016.

Furthermore, the LPA considered that the proximity of the site to the existing Community sports facility/ playing field could have lead be a potential conflict between the interests of occupants of the proposed dwelling and the existing use of the playing field. As a result the Agent submitted a scheme comprising safety netting which could be erected as required and removed after the sports activities on the pitch have finished, located along the boundary of the site adjacent to the sports pavilion and playing field. This would have been the responsibility of the occupant of the proposed dwelling - it would therefore be difficult to control.

The application was therefore refused as it was

1. Considered contrary to policy CS1 and guidance contained within PPS3 as it exceeded the rural housing numbers and the rural area.
2. The development was considered incompatible with the adjacent sports field and the proposed ball stop fencing was inappropriate and was deemed contrary to policies CS10 and CS15 of the CS and policy UD2 of the WLP and national guidance contained within PPS1 and PPS3, and therefore refused.

However, the Local Planning Authority considered that the development site would be a similar size to the established properties in Maslan Crescent and could accommodate a dwelling of similar footprint to the adjoining semi-detached properties with adequate access and amenity space, without significantly adversely impacting on the neighbour's residential amenity.

The applicant subsequently appealed the LPA's decision and the Inspector allowed the appeal and granted outline planning permission.

Planning application W2010/0096 for the erection of a four bedroomed was withdrawn on 16.03.10. The LPA did not support the proposal as it was deemed an over-development of the site and failed to respect the scale, size, building line and character of the existing dwellings and the streetscene.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 – Delivering Sustainable Development.

PPS3 – Housing.

PPS7 Sustainable Development in Rural Areas.

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria,

Policy H9 – Location of New Housing,

Policy H10 – Scale of Development.

LDF Core Strategy

Policy CS1 – Homes,

Policy CS7 – Rural Area,

Policy CS10 - Community Facilities,

Policy CS15 - Urban Design.

CONSULTATION RESPONSES:

Tibberton and Cherrington Parish Council: Initially raised objections in respect of the application prior to the amended drawings, the issues raised were:

- That this is a straightforward re-submission of Application W2010/0096 that was withdrawn in March 2010.
- The Members of the Parish Council were unanimously opposed to this design then and they remain so now.
- They believe that the proposed property is too large for the site, with an inadequate curtilage at the front and rear. They also believe that its large 'footprint' in relation to the size of plot makes it out of character with the rest of the neighbourhood.
- They are concerned that the proposed driveway will not allow for vehicles to be turned. Therefore, unless vehicles are reversed onto the property they will have to be reversed off. This would create a potential hazard for young children attending both Tibberton School and the Pre-School. It should be noted that this is on the designated 'Walk to School' route.

They also raise two further matters relating in to this site:

- The roadway on the eastern side is the only point of vehicular access to the school and pre-school buildings and it is essential that it is kept clear.
- Whatever design is eventually agreed for the site, the Councillors believe that a necessary planning condition must be that no vehicles are parked in this roadway or building materials left there.
- When granting the Appeal in favour of Outline Permission, the Inspector made light of the likelihood of cricket balls reaching the property from the neighbouring playing field. However, those with local knowledge assert that it is not an uncommon occurrence as the site

lies within the natural 'mid-on' hitting arc for right-handed batsmen at the further-end of the wicket.

- As the field is owned and maintained by T&W, the Borough will need to consider seriously what measures are appropriate to protect the property and its occupiers as well as its own liability.

The case officer has met with Parish Councillors, a school governor and the owner of no.13 Maslan Crescent and discussed the amended scheme on site. No further comments had been received at the time of writing this report and any

further representations in respect of the amended drawings will be reported to Members at Plans Board.

Shropshire Fire Authority: Have no objections and suggest informatives in respect of Access for Emergency Fire Service Vehicles and Sprinkler Systems

Drainage Engineer: supports the proposal and recommends conditions in respect of drainage and soakaways.

Highways Engineer: supports the proposal.

Twenty one direct neighbour letters have publicised the application. Two representations have been received and the issues raised are:

- The overall size and height of the proposed dwelling is too large for the size of the plot.
- The proposed dwelling is not in keeping with any other property on the crescent. The current properties are semis and bungalows
- The proposed dwelling does not constitute an in fill, as it is on a corner.
- The close proximity of the nursery, infant and junior school already causes traffic problems. The Wrekin council has already identified this and has erected bollards on the pavements to help ensure child safety. In fact, the school is trying to maintain good relations with local residents regarding traffic problems and as such a meeting is being held December 1st 2010 at the school. The volume of traffic to and from the school does cause problems. The addition of another property, with access for two vehicles will exacerbate the situation.
- In the Local Context - Forms and Materials, a mention is made of a nearby property having a "side and rear extension". This refers to 13 Maslan Crescent, our property. The location plan which accompanies this application is not the latest detail and does not accurately reflect our property. Therefore, the proximity of the proposed dwelling to number 13 is much closer than currently shown. A privacy issue still exists with the first floor windows of the proposed dwelling, having a direct view into the bedroom and large kitchen window.
- In the application under "Neighbour and Community Consultation" the answer to this question is "No". Therefore, how is it possible to ascertain that "we have consulted neighbours, who generally feel the appearance of a detached dwelling on this site will be better than the previous view of derelict garages". Neighbours have not been

consulted and indeed would much rather have the garages on the plot. These garages were not derelict and provided security for resident's vehicles, and were in use until the council announced that the land was being sold and gave notice to tenants.

- The proposed dwelling does not constitute infill and will not harmonise with the existing dwellings. From the plans provided, they do not appear to reflect what is actually on the ground. If the rear of the property is built in line with the rear of 53, a detached dwelling of these dimensions, can not be accommodated in such a tiny plot, let alone providing parking spaces for two vehicles at the front. Are they vehicles without doors, because there will be no space to open them.
- With the plot being immediately adjacent to the village cricket pitch the first cricket ball to land in the garden or break a window could signal the end of village cricket.
- balls land in the garden, break tiles on the house roof and break panes of glass in the greenhouse
- We like the concept of village cricket and have a good rapport with the cricketers who always make good any damage and pay for any breakage.
- What assurances could you put into place to safeguard the cricket for the future against the possibility of the above happening?
- Loss of garage plot all for a paltry few thousand pounds for this ground, most of which has probably been swallowed up in legal and administrative costs and with no benefit to ourselves,
- By a reduction in the community charge, the whole exercise to have been a complete waste of time and money.

PLANNING CONSIDERATIONS:

Amended drawings have been received which have reduced the ridge height to 7.81m (as annotated on the drawing) so that it is comparable with the neighbouring dwellings and a slightly reduced the footprint to provide a 1.0m gap around the right (northern) boundary of the site.

Outline planning permission for a dwelling on the site has previously been approved by the Planning Inspector and therefore the principle of a dwelling on the site has already been established. The Inspector's decision to grant planning permission is a material consideration when assessing this application.

The Inspector considered that there were three main issues:

Whether the proposal would meet the Council's housing location policy

The Inspector opined that the site was Brownfield and in a sustainable location, and in one of the three service settlements where the majority of rural development is to be focussed, as advocated by PPS3 and Council policy CS7. The Inspector therefore concluded that just one additional dwelling would not harm the underlying objectives of the Council's housing location policy, in particular CS1 and CS7.

The effect the proposal would have upon the character and appearance of the area, in particular regard to the future need for ball-stop fencing

The Inspector noted that the existing dwellings adjoin the sports facility and do not have ball stop fencing. Although the existing dwellings are further away from the playing field she did not consider the difference in distance was material in this instance. In addition the pavilion and 3m high fence would provide an effective physical barrier. This application does not include the ball stop fencing element as the Inspector considered it unnecessary.

The design of the dwelling has been amended to respect the character and appearance of the existing dwelling in Maslan Crescent. The ridge height has been lowered to respect the neighbouring properties and the detailing on the gable end detailing matches that found on the estate. The imposition of a condition will require a brick sample panel to be built on site for inspection to ensure that the best match possible with the existing dwellings is achieved. Accordingly, the proposal complies with policy UD3 of the WLP and Policy CS15 of the CS.

Whether the proposed dwelling is likely to remove the adjoining sports facility.

The Inspector also commented that it is common for dwellings to back on to recreation grounds and parks and was not convinced that an additional dwelling would put pressure upon the Council to remove the facility. Accordingly, the proposal is compliant with policy CS10 of the CS.

Other matters

The Inspector noted comments from third parties in respect to highway safety and residential amenity and concluded that the addition of one dwelling would not be harmful to highway safety and that a dwelling could be designed so that residential amenity was not compromised.

Sufficient on-site parking and manoeuvring space is provided to enable vehicles to enter and leave the site in a forward gear. This situation is superior to the situation with the existing houses in Maslan Crescent some of which have no off-street parking and few have on-site manoeuvring space. The Council's Highway Engineer supports the proposal and it is considered that a single dwelling house will generate fewer vehicular movements than the previous use of the site which contained six garages. Hence, there will be a positive impact upon highway safety and the proposal is compliant with policy UD2 of the WLP and CS15 of the CS. Nonetheless, a condition will require details of where the operatives will park their vehicles during construction and the loading and unloading and storage of materials to ensure that the free passage of traffic and any disruption is kept to a minimum.

The footprint of the proposed dwelling is slightly larger than the indicative layout shown for the approved outline application and it is now a four bedroomed dwelling rather than a three bedroomed one. However, the room sizes are modest with two bedrooms being double and two singles. Moreover, the plot and footprint is comparable to the existing 2, 3 & 4 bedroomed dwellings. Therefore, the size of the dwelling is considered appropriate for the site and locality.

The separation distance between the proposed window of bedroom 3 the common boundary with no.13 is 10.2m. The window looks towards the rear of the garden and the large timber outbuilding belonging to no.13 Maslan Crescent. The window will be 21m when measured diagonally to the two storey side extension built at no.13. The minimum distance required in order to protect residential privacy is usually 21m when measured perpendicular. Given that the proposed dwelling will not directly face windows of no.13 and there is adequate separation distance it is considered that there will be no significant adverse impact upon the residential amenity on no.13 by way of over-looking or loss of privacy. Accordingly, the proposal is compliant with policy UD2 of the WLP and CS15 of the CS.

Whilst the comments raised by neighbours are noted, as stated earlier the principle of residential development on the site has already been approved on appeal by the Secretary of State. If Members are minded to refuse this application, their decision would be contrary to the Secretary of State's decision, and could be considered perverse and as such any subsequent appeal could lead to costs being awarded against the Council.

Accordingly, it is considered that the proposal complies with both local and national policies and a precedent for the development of the site has already been approved. The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.

Therefore, it is recommended that the proposal is approved with conditions.

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

1. A04 Time limit.
2. B06 samples of materials.
3. B07 sample brick panel.
4. B14 soft landscaping.
5. B23 on-site construction.
6. B24 mud on road.
7. B33 foul and surface water.
8. B35 soakaways.
9. C19 car parking.
10. C38 in accordance with approved plans.
11. I32 Fire Authority.
12. I40 conditions.
13. I41 reasons for grant.

REASON FOR APPROVAL:

The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential

amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.

TWC/2010/0715 349 Holyhead Road, Wellington, Telford, Shropshire, TF1 2EZ

Erection of a two storey detached dwelling (Amended plans and information received)

APPLICANT

Dr Simon Frain

RECEIVED

24/11/2010

PARISH

Wellington

WARD

Ercall

COUNCILLOR HOSKEN HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and design, Character and appearance, Impact on adjoining amenity, Highways safety, Impact on trees

THE PROPOSAL:

The application seeks planning permission for the erection of a two storey detached dwelling within the amenity area of 349 Holyhead Road.

The proposal comprises the erection of a two-storey detached property with asymmetrical shallow-pitched roof and an attached single storey element comprising store, plant room and double garage creating an 'L'-shaped form. The dwelling is 20.5 metres x 11.95 metres, with the garage and plant element measuring 6.1m x 9.55m. The dwelling has a ridge height of 7.6 metres. The proposed dwelling has been designed as an 'eco-home', and is intended to have very low carbon usage, but also meet the Applicant's accommodation requirements. The dwelling's principle elevation is south-facing and predominantly glazed to maximise solar gain and it has been designed to maintain appropriate levels of heating and ventilation.

THE SITE AND SURROUNDINGS:

349 Holyhead Road is a large detached two-storey property built in 1930s which is orientated to the south with no road frontage and is served by a private access drive which runs between No.'s 343 and 345 Holyhead Road and adjacent to the rear of properties in Barnfield Crescent. The dwelling itself is backland development and is located some 150 metres from Holyhead Road.

The application site is part of the large open front garden area to the south of the dwelling. The site tapers slightly to the south and is currently laid to lawn and comprises a vegetable patch with greenhouse, summerhouse, chicken pen and parking for a caravan, with mature trees and shrubs on the boundary. It is bounded by rear garden areas of properties in Avondale Road to the west and Barnfield Crescent to the east, with the application site located in a significantly elevated position above the Barnfield Crescent properties. The dwellings in Barnfield Crescent are approximately 13 metres from the

boundary of the application site, with 16 metres from the rear elevations of dwellings on Avondale Road to the boundary.

The surrounding residential development comprises a variety of housetypes, with a combination of 1930s and mid-late Twentieth Century semi-detached and detached properties. The adjoining properties are all two-storey except No.46 Barnfield Crescent, which is also set back in the plot. No other property in the vicinity of 349 Holyhead Road is of the same substantial size and footprint. The application site is located on the southern edge of Wellington.

CONSULTATION RESPONSES:

Wellington Town Council has raised no objections to the proposal.

Highways: support the proposal.

Drainage: no objection subject to Conditions B33 (Foul and surface water drainage) and B35 and a further condition regarding soakaway drainage or alternate method of surface water disposal.

Ecology: no objection subject to Informatives regarding nesting birds (vegetation), replacement planting, trenches, vegetation cutting, and bat and bird boxes.

Arboricultural: no objection subject to conditions regarding fencing plans and storage and no burning.

Shropshire Fire Service has no objection subject to informatives regarding access and sprinkler system.

In response to the original plans, 5 neighbour letters and a petition containing 18 names have been submitted. Their comments are summarised below:

- Discrepancy on plans – plans show incorrect boundary line, including land outside Applicant's ownership on access track, and 2D image does not reflect ground level differences and impact on adjoining properties
- Dwelling is inappropriate in this location on site between garden land of established properties
- Due to elevated position of site and proximity of development to boundaries, proposal would adversely impact on adjoining residential amenities re: issues of overlooking, loss of privacy and loss of light
- Size, height, design and materials not in keeping
- Overdevelopment
- Development not in keeping – will not improve quality or maintain character of the area
- Proposed development is not a bungalow as more than one storey
- Vehicular access – poor visibility on to Holyhead Road
- Increase in traffic light and noise pollution impacting on adjoining properties adjacent to access
- Vehicle movements from construction traffic on single track access

- Loss of light will impact on variety of bird species
- Loss of trees on site and impact of development on Oak tree on adjoining land
- Surface water drainage problems – currently drains into rear gardens of Barnfield Crescent
- Previous problems with laurel trees and conifers reducing light to adjoining properties
- Devalue property

Following reconsultation on the amended plans, 5 further neighbour letters have been submitted, with the following additional comments:

- Amendments to plans are minimal and do not address main concerns
- Impact of noise from building work
- Density of housing
- Dwelling “more in keeping with Spanish Costas”
- Development still too close to Oak tree
- Concerns regarding boundary walling – shadowing, maintenance

PLANNING HISTORY:

W78/0572 Residential Development, One Dwelling, Outline refused (OLR)

W80/0211 Erection Of An Extension To Provide Swimming Pool, Sauna, Changing And Exercise Room, Full granted (FG)

W81/0449 Erection of an Extension to Provide Dining Room, FG

W81/0924 Erection of an Extension and Alterations to Provide Utility Room and Porch, FG

W87/0478 Erection of a Single Storey Detached House, OLR

W87/0541 Erection of a Domestic Double Garage, FG

W89/0716 Erection of First Floor Extension to Existing Dwellinghouse, FG

W89/1044 Erection of One Single Storey Dwelling, FG

W92/0781 Erection of an Extension to Provide Additional Bedroom and Bathroom, FG

W97/0143 Proposed Conservatory, FG

Recent Planning History on Adjoining Site, 357 Holyhead Road –

W2010/0203 Erection of a Detached Dwelling, Full Refused and Appeal Dismissed. The Inspector considered the development would be cramped, conflicted and did not reflect existing street pattern and characteristic siting along the road frontage. Furthermore it would have an adverse effect on privacy and outlook. Accordingly it was contrary to UD2, H6 and CS15, and was dismissed.

POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPG13 Highways

Saved Wrekin Local Plan Policies

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport
OL11 Woodland and Trees

LDF Core Strategy
CS5 District and Local Centres
CS12 Natural Environment
CS15 Urban Design

PLANNING CONSIDERATIONS:

The application site has no formal land allocation within the Wrekin Local Plan and can therefore be considered for development. In June 2010, PPS3 was updated and private residential gardens no longer constitute previously developed/brownfield land. The reclassification of garden land is intended to enable Councils to protect gardens from inappropriate development by rejecting planning applications for development that is objected to by the local community and spoils the character of neighbourhoods. However, given the scale and siting of the existing property, No.349 Holyhead Road, which is backland development with no street frontage, it is considered that this plot is not out of character in principle.

The new dwelling would utilise the existing shared access drive on to Holyhead Road and would comprise 5 bedrooms (4 at first floor and the 5th at ground floor level) with large reception rooms at ground floor – kitchen, living room, snug/hall area, along with a study and utility. The entrance to the building would front No.349 around the central access. It is considered that there would be a sufficient separation distance between the existing and proposed dwellings. The garden area would be located to the principal (south) elevation of the property, with additional landscaping proposed. The building would be constructed in terracotta coloured render with grey window frames and artificial slate roof.

Following discussions between the Agent and the Local Planning Authority, the plans have been amended and the length of the proposal has been reduced from 27.4m to 23.5m and has been relocated so that it is a minimum of 22 metres from all surrounding dwellings. It is now located further from the eastern boundary with properties in Barnfield Crescent and the mature Oak tree in an adjacent rear garden at Avondale Road.

With regard to the relevant planning policies, the site is on the edge of Wellington and is therefore an appropriate location for housing development, subject to meeting various criteria, in particular design, how it relates to the context of the area and the impact of the development on adjoining properties. The site can be adequately accessed, with adequate amenity space and parking, and with sufficient amenity space retained for the existing property 349 Holyhead Road. Therefore the principle of a dwelling on the site is considered acceptable.

Officers acknowledge that 349 Holyhead Road is a substantial property with a large garden area, and the footprint of the proposed development is comparable to 349; however it is significantly larger than the other dwellings in

the vicinity – the adjoining property, 347 Holyhead Road, and adjacent properties on Avondale Road and Barnfield Crescent. The dwelling would be located at the end of the shared access drive and could be accommodated within the substantial site area, and would not be visible or prominent in the streetscene. Therefore, whilst the dwelling is larger than the majority of properties in the area, it is considered to be acceptable in this location.

The design of the building with its largely glazed south elevation does not reflect the prevailing character of the area – the mix of development in the area including 1930s detached and semi-detached properties with bay windows, the solid to void ratio of properties. The design has been dictated by the Applicant's requirement to build a low-carbon family home. The creation of a low-carbon property meets sustainable criteria; however this should also be assessed against design principles. In this regard, given the property's siting at the end of the shared drive, not being prominent in the streetscene, and the orientation of the building with the glazed southern elevation facing away from the site entrance and not overlooking other properties, it is considered that the design of the development will not adversely affect the character and appearance of the area.

There is a significant difference in ground levels between the application site and the adjoining properties in Barnfield Crescent, and there have been a number of local objections regarding the impact of the building on adjoining residential amenities. However there would be a separation distance of 22 metres between the rear of the dwellings in Barnfield Crescent and the side gable of the proposed property. In addition, there are no principle windows on the side gables of the building to minimise overlooking and loss of privacy. Given the position and orientation of the dwellings, the development is unlikely to reduce levels of light to the properties in Barnfield Crescent. In addition, permitted development rights can be removed to control additional windows, extensions and outbuildings to protect adjoining amenities. It is suggested that a condition is imposed to control the height of proposed landscaping on the boundary to Barnfield Crescent properties to protect light and outlook.

With regard to other issues that have been raised by local residents, the Agent has resolved the matter regarding ownership issues of part of the land adjacent to the access and has omitted this on amended plans. The position of the dwelling at the rear of other properties and its elevated position are not ideal; however given the position and orientation of 349 Holyhead Road, and the revised and more appropriate scale and mass, officers consider the development is acceptable. With regard to access and vehicle movements, there are no highways objections. Drainage issues can be resolved by condition. In order to protect residential amenities during construction of the dwelling, a condition can be imposed regarding hours of work. The Arboricultural Officer has assessed that the Oak tree will not be adversely impact by the development subject to appropriate conditions during construction. Impact on property values is not a material planning consideration.

In conclusion, the proposed low-carbon dwelling meets sustainable objectives and would not be overly visible or prominent in the streetscene. Following amendments, the development is now considered to be acceptable in scale and mass and the proposal will not be detrimental to the character and appearance of the area or adversely affect the residential amenities of properties in Barnfield Crescent and Avondale Road.

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

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample panel
4. B11 Details of doors and windows
5. B14 Landscaping design
6. B33 Foul and surface water
7. B35 Soakaway test
8. B73 Trees protective fencing
9. C07 Trees – no burning
10. C09 Trees materials storage
11. C11 Maintenance of hedges at maximum height of 2m
12. C38 Development in accordance with plans
13. D01 Removal of permitted development rights
14. D08 Windows obscure glazing
15. D11 Hours of construction work

REASON FOR APPROVAL:

The proposed low-carbon dwelling meets sustainable objectives and would not be overly visible or prominent in the streetscene. Following amendments, the development is now considered to be acceptable in terms of scale and mass and the proposal will not be detrimental to the character and appearance of the area or adversely affect the residential amenities of properties in Barnfield Crescent and Avondale Road.

TWC/2010/0820 Land off Queens Drive, Newport, Shropshire, TF10 7EU
Erection of pair of semi-detached dwellings with integral garages (amended
information received)

APPLICANT

David Tringham Developments,

RECEIVED

22/03/2011

PARISH

Newport

WARD

Newport South

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Previous Inspector's decision granting planning permission for two new dwellings on the site. Whether the site would be over-developed, impact on residential amenity, whether there would be adequate provision for the drainage of surface water and the effect on the safety and free flow of traffic.

THE PROPOSAL:

The proposal is for the erection of a pair of 4 bedroomed semi-detached dwellings with integral garages on a vacant piece of land situated between the rear garden of 4 and 6 Station Road and 1 Queens Drive.

SITE AND SURROUNDINGS:

Queens Drive is a Cul-de-Sac and the area is predominantly residential comprising various styles and ages of two storey and single storey 1950's – 1970's dwellings, and lies outside the Newport Conservation Area but is within the built up area of Newport. The site previously formed the rear gardens of no's 4 and 6 Station Road a pair of Grade II white painted stuccoed two storey Victorian dwellings.

The site extends 0.16 acre and is currently vacant scrubby grassland. It is bounded by timber panel fencing along the western boundary, a mature Holly hedge along the eastern and northern boundary and secured along the frontage (south) with Heras fencing. There is a telegraph pole located within the site and an approximately 2m wide or so landscape strip between the site and the public highway.

PLANNING HISTORY:

W2007/0152 Erection of a pair of semi detached dwelling was refused on 29.03.07; the reasons were:

- Over- development of the site,
- Detrimental impact upon the character and appearance of the area,
- Over-looking and loss of privacy,
- Insufficient information in respect of drainage,
- Highway safety due to restricted visibility.

However, the Planning Inspector appointed by the Secretary of State for Communities and Local Government considered that the proposal was acceptable subject to conditions and 'Allowed' the appeal on 10.10.07.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 – Delivering Sustainable Development.

PPS3 – Housing.

PPS5 – Planning for the Historic Environment.

PPG9 – Biodiversity and Geological Conservation.

Saved Wrekin Local Plan Policies

Policy H6 – Windfall Sites in Telford and Newport.

Policy UD2 – Design Criteria.

LDF Core Strategy

Policy CS1 – Homes.

Policy CS6 – Newport.

Policy CS14 – Cultural, Historic and Built Environment.

Policy CS15 – Urban Design.

CONSULTATION RESPONSES:

Parish Council: Support subject to conditions. Members discussed the many aspects of the application, considering the requirement for additional housing, 21st century design, larger houses on smaller plots and the boundary hedge, and were very mindful of the previous application and the comments made, and acknowledged that there were still similar concerns expressed by neighbours. However, following a narrowly contested vote, decided that if it was confirmed there were no significant changes to the former plans no objection should be raised, as previous permission had been granted on Appeal by the Planning Inspectorate, which would be difficult to overturn.

Highways: no objection subject to conditions in respect of driveway surfacing, visibility splay and gates.

Engineers: support subject to conditions for drainage, soakaways and landfill gas and advise that any soakaways should be located no less than 5m from any building or boundary.

Shropshire Fire Service: have suggested an informative for the provision of emergency vehicles and sprinkler systems.

Ecology: support and suggests informatives in respect of nesting birds (vegetation), trenches, enhancement planting and bat, bird and invertebrate boxes

The occupiers of ten neighbouring properties have made representations in respect of this application. The issues raised are:

- Proposal is similar/identical to previous application,
- Houses will create pollution, noise and additional traffic, inadequate off-street parking, loss of privacy and over-looking, loss of residential amenity,
- ‘garden grabbing’,
- Impact of neighbouring listed buildings,
- nothing has changed concerning the water, drain and sewer services; two more 4-bedroom houses can only add to already overstretched services,
- low water pressure,

- The proposed buildings are too large and are definitely not in keeping with the rest of the drive; it is not sensible to cram two more buildings on such a small site.
- Ownership of strip of land is unknown, strip maintained by the Town Council,
- Any parking in the road/ pavement, especially during building works, would be both inconvenient and potentially dangerous and could cause problems to the emergency services.
- This application was opposed by the residents of Queens Drive and refused by both the Newport Town and the Wrekin Councils. It was then over-ruled by the Planning Inspectorate.
- This present government's planning policy is that private gardens are not considered "brownfield". This application is affected by the change of government policy.
- The proposed houses are monstrous, and not in-keeping and will overshadow adjacent dwellings, and block out light, loss of ancient light,
- The existing hedges will not screen the proposed development,
- Planning criteria should be changed and should not allow high density unsuitable housing,
- Loss of light will impact on the existing Yew and Fig trees,
- Flooding and capacity of drainage system,
- Loss of habitat, potential damage to neighbouring trees,
- Queens Drive was originally designed for 12 dwellings,
- Application should be considered as a new application and determined by Plans Board and not delegated by Officers,
- The application does not comply with the requirements of the Town & Country Planning Act and therefore must be rejected,
- Lack of information in respect of service runs, changes in ground level, including the location of retaining walls, steps and back-filling, location of all site huts, temporary latrines, cranes, plant and other temporary structures, location of site construction access, location of storage areas for materials, spoil and fuel, cement and concrete mixing, and any contractors' car parking, visibility splays,
- The proposal is contrary to policies UD1, UD2, HE13, H9, H10, H12 & EH2.

It should be noted that UD1, HE13, H12 are no longer valid as they are not 'saved' policies from the Wrekin Local Plan and policies H9 & H10 relate to residential development in the rural area and not the urban area.

One neighbour has written to Mark Pritchard MP asking him to intervene in the light of amendments to Government policy.

PLANNING CONSIDERATIONS:

Due to the downturn in the economy the permission allowed on appeal has not been implemented and has lapsed hence this application.

This application is exactly that same as previously approved by the Planning Inspector and therefore, the principle of two dwellings on the site has

already been established. The Inspector's decision to grant planning permission is a material consideration when assessing this application.

Whether the site would be over-developed.

The proposed development would be seen in the context of detached and semi-detached houses that have reasonably spacious and open settings. The existing house plots tend to be relatively large, and the development often extends close to the boundaries of the plots. However, most houses have single storey attached garages at the side and views above the garages contribute to the feeling of openness.

In contrast to the above, the proposed development site is smaller. In addition, although each house would be off-set from the side boundaries, the development would have an effective height of two stories across the entire site.

Irrespective of the above, the Inspector did not consider that the site would have an over-developed appearance. To the southwest, there would be open space in the form of a rear garden of 4 Station Court. On the other side of the proposed houses, there is a single storey garage and entrance to 1 Queens Drive that will contribute to the openness. Moreover, the house on plot 2 would be off-set from the boundary by approximately 1.8m. Accordingly, the Inspector did not consider that the development would have an unduly cramped appearance or fail to respect the character and appearance of the area. Moreover, the proposed development is sufficiently distant from the adjacent listed building to ensure that they will not be adversely affected by the proposal.

Therefore, the proposal is compliant with Saved Wrekin Local Plan policies UD2 and H6, policies CS1, CS6, CS14 and CS15 of the LDF Core Strategy and national guidance contained within PPS1, PPS and PPS5.

Impact on residential amenity

The LPA previously raised concerns regarding over-looking and loss of privacy. In this regard the Inspector acknowledged that there would be views towards the rear garden of 2 Pen-y-bryn Way from bedroom window 3 of the house on plot 2. However, he opined that the substantial Holly hedge along the common boundary would provide effective screening between the two properties and even in the unlikely event that the hedge is removed, alternative screening could be provided. Therefore, there would be no detrimental impact on the neighbour's living conditions and the proposal complies with 'saved' policy UD2 of the WLP.

Adequate provision for the drainage of surface water.

Anecdotal evidence provided by neighbours is noted however the Inspector has previously pointed out that issues in respect of drainage could be addressed via appropriate conditions and was satisfied that adequate provision for drainage could be made for the drainage of surface water.

The Council's Drainage Engineer concurs with this approach and supports the proposal subject to conditions and advises that any soakaways should be located no less than 5m from any building or boundary. Therefore, the proposal complies with 'saved' policy UD2 of the WLP.

The effect on the safety and free flow of traffic.

Queens Drive is a quiet Cul-de-sac. The Inspector observed that traffic turning into and out of the site would have no significant effect upon the free flow of traffic. In addition, off street parking is provided within the site and thus movement on Queens Drive would not be impeded.

With regard to highway safety, providing a satisfactory visibility splay, at the entrance to the site, can be provided across the landscape strip, the safety of traffic would not be compromised. Adequate views would be available up and down Queens Drive and cars. Therefore, the proposal complies with 'saved' policy UD2 of the WLP.

Other matters

The ownership of the landscape strip is unknown and it is understood that the Town Council are considering making a claim on the land with the Land Registry stating that they have maintained it for the past 15 years. Although in August 2006 the Town Council confirmed to the Solicitor acting on behalf of the vendor of no's 4 and 6 Station Road that they had no interest in the land.

Nevertheless, land ownership is not a material planning consideration in determining this application. The Inspector observed that even if ownership was disputed, provided the applicant could secure the necessary visibility at the entrance traffic safety would not be compromised. The prescribed method of advertisement has taken place, including a press notice in the Newport Advertiser and the correct ownership certificate has been signed.

Parking of builders and trades man's vehicles and storage of machinery and building materials can be controlled via a condition requiring a scheme to be submitted prior to commencement of development.

Planning Policy Statement 3 – Housing has recently been revised to prevent 'Garden grabbing'. The policy now excludes residential gardens from the definition of previously developed land. However, whilst this gives less national support than was previously the case, it does not prohibit development of garden land and it is not justification alone for refusing permission for the proposal given the lack of harm discussed above.

The issue of loss of habitat and trees as been raised however, the Council's Ecologist has confirmed that she has no objection to the proposed development and suggests informatics in respect of nesting birds (vegetation), Trenches, Enhancement planting and Bat, bird and invertebrate boxes. Accordingly, the proposal is compliant with national guidance contained within PPG9.

Whilst the comments raised by neighbours are noted, as stated earlier the principle of residential development on the site has already been approved by

the Secretary of State. If Members are minded to refuse this application, their decision would be contrary to the Secretary of State's decision, and could be considered perverse, and as such any subsequent appeal could lead to costs being awarded against the Council.

Accordingly, it is considered that the proposal complies with both local and national policies and a precedent for the development of the site with two dwellings has already been approved. Therefore, it is recommended that the proposal is approved with conditions.

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

1. A04 time limit.
2. B06 samples of materials.
3. B13 details of enclosure.
4. B14 soft landscaping.
5. B23 on-site construction.
6. B24 Mud on road.
7. B33 Foul and Surface water.
8. B35 soakaways.
9. B35a soakaways to be 5m from boundaries and buildings.
10. C10 hedge protection.
11. C19 car parking.
12. C21 Visibility Splay 2.0m x 33m with nothing placed or allowed remain forward of the splay line that exceeds 600mm in height above the adjacent carriageway.
13. C27 foundation design – landfill gas.
14. C38 in accordance with approved plans.
15. DCustom no gates.
16. I25c bird boxes.
17. I25e Trenches.
18. I25g Enhancement planting.
19. I25j invertebrate boxes.
20. I25m nesting birds (vegetation).
21. I32 Fire Authority.
22. I40 conditions.
23. I41 reasons for grant.

REASON FOR APPROVAL:

The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential amenity or the setting of the nearby Listed Buildings. Furthermore, the site is in a highly sustainable location and sufficient private amenity space and off street parking is provided.

TWC/2011/0017 Land at Prince Edward Crescent, Malinslee, Telford, Shropshire, TF3 2JU
Erection of 12 Bungalows on existing public open space (Amended plans and additional information received)

APPLICANT

The Wrekin Housing Trust, Karen Lloyd

RECEIVED

17/02/2011

PARISH

Great Dawley

WARD

Malinslee

COUNCILLOR SAHOTA HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Loss of Green Space, Impact on character and appearance of area, Highways issues, Impact on proposed and adjoining residential amenities, Impact on Trees

THE PROPOSAL:

The application seeks full planning permission for the erection of 12 bungalows on existing public open space on Land at Prince Edward Crescent, Malinslee. The proposal also includes the relocation and improvement of the existing play area to the south of the site.

The proposal is for full planning permission for 12 two-bedroom affordable bungalows specifically for the over 55s, with access on to Prince Edward Crescent, parking provision, private amenity space and landscaping. The accommodation mix comprises 2 mobility bungalows with the remaining bungalows comprising socially rented properties and other affordable types. The residential development would replace the existing area of open space and play area, with a new local equipped area of play (LEAP) relocated to the south of the site. The majority of the tree belt along the north and east boundaries of the site will be retained, with additional tree planting adjacent to the LEAP to the south of the site.

SITE AND SURROUNDINGS:

The application site comprises an existing area of public open space, with existing play area and disused ball court linked to the adjoining established residential estate via footpaths. The site is bounded to the north and east by a belt of mature trees, with main estate roads, Royal Way and Brunel Road beyond. Rear garden areas of residential properties in Prince Edward Crescent and Prince Charles Crescent adjoin the site to the south and west. The properties in Prince Edward Crescent are modern in design and a mixture of detached, semi-detached and terraced development, constructed in brown brick, painted brickwork and plain tiles.

The site is approximately 500 metres to the southwest of Telford Town Centre and Town Park and 200 metres to the north of Malinslee Local Centre, which

is subject of redevelopment, including new play provision (neighbourhood equipped area of play, NEAP).

PLANNING HISTORY:

W2008/1324 Residential development for maximum of 13 residential bungalows and relocation and improvement of local equipped area of play (Outline application), Outline granted at Plans Board on 25th February 2009 subject to conditions.

W2008/0651 Residential development for maximum of 12 residential bungalows and relocation and improvement of local equipped play area (Outline Application), Withdrawn as issues regarding proposed site access needed resolving.

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG17 Planning for open space, sport and recreation

Saved Wrekin Local Plan Policies

UD2 Design Criteria
H6 Windfall Sites in Telford & Newport
H23 Affordable Housing
OL11 Woodland and Trees
LR4 Outdoor Recreational Open Space

LDF Core Strategy

CS1 Homes
CS3 Telford
CS9 Accessibility and Social Inclusion
CS10 Community facilities
CS11 Open Space
CS12 Natural Environment
CS15 Urban Design

Central Telford Area Action Plan (adopted March 2011)

CT21 Protection of Green Space
CT22 Provision of New Green Space

CONSULTATION RESPONSES:

Great Dawley Parish Council initially raised no objections; however following reconsultation, the Parish Council raised an objection on the grounds that the application was contrary to the Central Telford Area Action Plan (CTAAP) adopted by Telford & Wrekin Council on 3 March 2011.

Highways: no objection subject to conditions regarding road and footway construction, street lighting and drainage details, type and position of any tree-pits and items of street furniture in proposed highway areas, means of

access for construction traffic, including site and route management arrangements via Prince Edward Crescent.

Parks & Open Spaces: No objection subject to condition regarding details of the replacement equipped childrens play area. The replacement play facility should be built prior to the loss of the existing play provision, and any new overlooking properties to the play area are not built prior to the building of the replacement play area. Following installation of the equipped play area, a RoSPA Post Installation Inspection Report and Risk Assessment shall be carried out and provided to TWC Parks & Open Spaces.

Geotechs: no objection subject to condition regarding Shallow mining.

Drainage: no objection subject to conditions regarding Foul and surface water drainage, Soakaway test and Greenfield runoff rates

Arboricultural: Initial objections due to submission of insufficient information; however following submission of an Arboricultural Method Statement and Tree Protection Plan, there are no objections subject to conditions regarding details of landscaping activity at Plot 7, and that the developer notifies the Tree Officer when the protective fencing has been erected so that this can be checked.

Contaminated Land (Environmental Health): no objection subject to a condition regarding Land Contamination.

Ecology: no objection subject to informatives regarding Bats, Nesting birds (vegetation), Replacement planting, Trenches, and Bat, bird and invertebrate boxes.

Sustainability: There are some very positive sustainability aspects of the development, designed in conjunction with the appropriate build specification so that each dwelling will achieve code 4 of the *Code for Sustainable Homes*. Accordingly, this Code 4 rating should be conditioned.

Shropshire Fire Service: no objection subject to informatives regarding Access, Water supplies and Sprinkler systems

11 neighbour letters of objection and a petition containing 26 names have been received. Their comments are summarised below:

- Area listed in CTAAP document to be protected as Green Space
- Proposal is contrary to Telford & Wrekin Council's aims to retain green spaces and play provision
- Poor planning and design – benefiting new residents to the detriment of existing residents
- Access arrangements - road design is dangerous and impractical – access road should be from Royal Way or Brunel Road
- Highway improvements needed on Prince Edward Crescent
- Impact of construction traffic on narrow access road and residential amenity

- Reduction in play area and increase in traffic – health and safety issues to pedestrians especially children
- Loss of open space to detriment of adults and dog walkers
- Insufficient parking provision
- Mineshaft within site – possible reason why undeveloped
- Proximity of play area to rear of property – problems of noise, disturbance and antisocial behaviour – litter, graffiti
- Conflict between accommodation for older residents and children/teenagers using play area
- Play area only for young children – no provision for older children
- Play areas should be in more central location in Malinslee
- Malinslee is too densely populated and such development should be located in another area
- Adverse impact on quality of life
- Overlooking and loss of privacy and light
- Light and noise pollution
- Impact on birds and wildlife
- Southwater development will also cause significant upheaval to local residents

PLANNING CONSIDERATIONS:

Principle of Development

The principle of residential development on this site has already been approved at Plans Board in 2009 (W2008/1324 outline application comprising 13 dwellings, including access and layout); the proposed access was also approved under this application. The layout of development on site has been slightly revised from the outline scheme; therefore after discussions with the Local Planning Authority, the developers submitted a full planning application rather than an application for the reserved matters. Both the current application and W2008/1324 are considered in conjunction with the Malinslee Local Centre redevelopment (W2007/0359) in providing affordable housing associated with the residential element of the scheme. The site is in a highly accessible location within walking distance of both Malinslee Local Centre and Telford Town Centre. It is therefore considered that residential development of this scale and form, providing affordable housing on this site is acceptable and complies with local planning policies CS3, CS9 and CS10 of the Core Strategy, H6 and H23 of the Wrekin Local Plan and national guidance contained in PPS1 and PPS3.

Loss of Green Space

The site did not constitute Green Network in the Wrekin Local Plan; however when green spaces were evaluated for the Central Telford Area Action Plan (CTAAP) document, it was considered that this site should be included. At the time of this assessment, the application for outline planning permission was being considered for the site (Ref: W2008/1324).

The relevant policies relating to Green Space within CTAAP are policies CT21 (Protection of Green Space) and CT22 (Provision of New Green Space). Policy CT21 requires the protection of all green spaces within the designation,

however there is some flexibility built in to it to allow development where it is deemed to be 'unavoidable and appropriate'. In such cases the green space lost to development must be replaced to an equivalent or higher quality and accessibility in accordance with the Provision of New Green Space Policy (CT22). Policy CT22 sets an 'order of preference' for replacement green spaces to be provided, with the first preference being the provision of new green spaces on site within the development proposal.

Whilst the proposal would result in a loss of some open space, this would be mitigated by the improvements to the play area within the site and the new facilities at Malinslee Centre. Furthermore, the proposal would retain the belt of trees to the boundary of the site adjacent to Royal Way and Brunel Road, ensuring a green corridor is retained, with additional landscaping to screen the LEAP from adjoining residential properties. Therefore it is considered that the proposal would meet the requirements of policies CT21 and CT22 of CTAAP, along with the criteria of PPG17, policy CS11 of the Core Strategy and policy LR4 of the Wrekin Local Plan. Thus, on balance the loss of green space is considered acceptable in this instance.

Impact on character and appearance of area

Officers consider the proposal will alter the character and appearance of the existing site through the replacement of the area of open space and play area by the residential development and LEAP. However given the context of the site, in a predominantly residential area, with larger areas of open space and play provision in the vicinity at Telford Town Park and the Malinslee Local Centre redevelopment, in addition to the LEAP to the south and the retention of trees to the north and east boundaries of the site, it is considered that the proposal will not have a significant detrimental impact on the character and appearance of the area.

With regard to the existing trees on site and the proposed landscaping, there have been a number of amendments to the plans and additional information submitted in discussion with the Arboricultural Officer. The latest amendment and the information contained in the Arboricultural Method Statement have addressed earlier Arboricultural concerns. Retention of the tree bund and appropriate landscaping will help to preserve the character of the area and is in accordance with Policy OL11 of the Wrekin Local Plan.

With regard to the design and appearance of the development, the contemporary design and materials of the properties is in keeping with the redevelopment scheme at Malinslee Centre. The use of brick and render also relates to the adjoining development in Prince Edward Crescent. Accordingly the development would accord with urban design policies UD2 and CS15.

Highways issues

The vehicular access to the site between No.'s 22 and 23 Prince Edward Crescent was agreed at outline planning. It is acknowledged that Prince Edward Crescent is a narrow road; however the Highways Engineer has assessed that the additional traffic associated with this development can be accommodated without detriment to highway safety. The site includes a

shared surface/ traffic calming measures dictating lower speeds and ensuring safety of pedestrians, and children using the LEAP. Pedestrian links from Prince Edward Crescent will run through the west of the site, between No.'s 10 and 11 Prince Edward Crescent to the north, and 4 and 5 Prince Charles Crescent to the south linking the site to the wider area and ensuring access to the LEAP. Parking provision of one allocated space for each new dwelling and 9 visitor parking spaces is considered sufficient given the proximity to the Local Centre and Town Centre and public transport links.

Impact on residential amenities

The development is for 12 bungalows within the site, and the layout and orientation of the properties has been designed to ensure that the development does not have an adverse impact on existing and proposed residential amenities. As the buildings are single storey, there will not be a problem of overlooking, loss of privacy or light to existing properties whose gardens adjoin the site. However the area will benefit from dual aspect properties, providing natural surveillance. The proposed gardens are relatively modest in size; however they are considered comparable with the surrounding area and are acceptable.

There will be a 20 metre separation distance between the LEAP and existing properties in Prince Edward Crescent and Prince Charles Crescent which is considered sufficient to ensure the LEAP does not cause an unacceptable level of noise and disturbance to residents. Whilst it is impossible to ensure the behaviour of all users of the LEAP, the proposed development will provide a level of natural surveillance which will help to reduce potential antisocial behaviour in the area. As the play area is for younger children, it is considered less likely that there will be problems for the new older residents. Furthermore, additional planting is proposed between the existing properties and the LEAP to maintain residential amenity.

It is suggested that appropriate conditions are imposed with regard to on-site construction (details of parking, siting of materials etc.) and hours of construction work, to protect residential amenity.

Other issues

With regard to other matters raised by local residents, whilst officers note their concerns that the proposal will benefit new residents only and be to the detriment of existing residents, it is asserted that the proposal is being developed in conjunction with the Malinslee redevelopment scheme providing affordable housing and upgraded play provision, and is therefore benefiting the wider community. The Applicant is not required to provide contributions to improve access arrangements and the existing road layout of Prince Edward Crescent, as per the previous approval. The site is affected by former mining activity, and an appropriate condition regarding shallow mining shall be imposed; however evidence of mining does not prevent development. The Local Planning Authority is satisfied there are no known mine entries within the site. The LEAP is intended for younger children; however there will be provision for older children at Malinslee Local Centre where there will be a multi use games area and skate park, and the nearby Telford Town Park.

Due to the type of development for over 55's, it is considered appropriate to limit play provision design for the under 7's in line with the previous approval. Malinslee is relatively densely populated; however the scale of development is considered appropriate to the context of the area and will not lead to a complete loss of the existing open space, with the tree bund, LEAP and landscaping as well as the residential development within the site. The retention of the trees and additional landscaping will ensure the impact on birds and wildlife is minimised. This application is unconnected to the Southwater development. Given the proximity of Malinslee to Southwater, it is noted that there could be some inconvenience; however with both the Southwater project and this application, imposition of appropriate conditions will minimise the impact on local residents.

With regard to Parks & Open Spaces' comments, due to health and safety reasons, it is considered that the LEAP should be constructed prior to first occupation of the bungalows rather than during the construction phase of the dwellings. Accordingly this is suggested as a condition.

Conclusion

The principle of residential development, the access arrangements and the relocation of the play facilities have already been agreed in principle by the previous granting of outline planning permission W2008/1324. The site is in a sustainable location, close to Malinslee Local Centre and Telford Town Centre. The development will provide affordable housing and a LEAP in conjunction with the wider Malinslee redevelopment. The layout of the site and the scale and design of the affordable bungalows with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining properties. The proposed replacement play provision and retention of the tree bund meets the requirements of the green space policies CTAAP, thus the loss of the open space is acceptable.

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

1. A03 Time limit
2. B06 Samples of materials
3. B07 Sample panel
4. B11 Details of doors and windows
5. B23 On-site construction
6. B24 Mud on road
7. B26 Shallow mining
8. B30 Land contamination
9. B33 Foul and surface water
10. B35 Soakaway test
11. Bcustom Greenfield runoff rates
12. Bcustom Submission of highways details of construction, layout, services etc.
13. Bcustom Submission of further landscaping details at plot 7

- | | | |
|-----|---------|---|
| 14. | Bcustom | Submission of details of LEAP and build standard including |
| 15. | C38 | phasing |
| 16. | Ccustom | Development in accordance with plans |
| | | LEAP to be completed prior to first occupation of dwellings |
| 17. | Ccustom | and removal of existing facility |
| | | Dwellings to be built to Code 4 rating of the <i>Code for</i> |
| 18. | Ccustom | <i>Sustainable Homes</i> |
| | | Development in accordance with Arboricultural Method |
| 19. | Ccustom | Statement and Tree Protection Plan |
| | | Protective fencing during construction, in consultation with |
| 20. | D01 | Arboricultural Officer |
| 21. | D11 | Removal of permitted development rights |
| | | Hours of construction work |

REASON FOR APPROVAL:

The principle of residential development, the access arrangements and the relocation of the play facilities have already been agreed in principle by the previous granting of outline planning permission W2008/1324. The site is in a sustainable location, close to Malinslee Local Centre and Telford Town Centre. The development will provide affordable housing and a LEAP in conjunction with the wider Malinslee redevelopment. The layout of the site and the scale and design of the affordable bungalows with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining properties. The proposed replacement play provision and retention of the tree bund meets the requirements of the green space policies CTAAP, thus the loss of the open space is acceptable.

TWC/2011/0140 Hartshill Park Tennis Courts, Oakengates, Shropshire,
Installation of 6no. 8m high column floodlights around existing 2no. tennis
courts.

APPLICANT

Telford & Wrekin Council, Dave Drew

RECEIVED

04/03/2011

PARISH

Oakengates

WARD

Ketley and Oakengates

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Light spillage and glare, noise and disturbance.

PROPOSAL:

This Council application relates to the erection of 6no. 8m high floodlights at the Hartshill Park tennis courts, Oakengates to illuminate 2 existing tarmac surface tennis courts.

SITE AND SURROUNDINGS:

The tennis courts are located to the Eastern boundary of Hartshill Park in Oakengates. The site area measures just over 1000 hectares and includes two tennis courts, a bowling green, park and bandstand. Access to the tennis courts is off Hadley Road, to the East of the site. The courts are enclosed by 3m high mesh security fencing.

Two residential properties located on Hartshill road overlook the tennis courts. These properties are however at a distance of 40m away and are slightly elevated. Residential properties are also located on Hadley Road at a distance of 50m however they do not directly overlook the tennis courts.

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

LDF Core Strategy

Policy CS7 – Rural Area

Policy CS10 – Community facilities

CONSULTATION RESPONSES:

A site notice and 6 direct neighbour letters have publicised this application. No comments have been received.

The Parish Council supports the application but has the following comments to make: “The planning consent to make very clear that the lights should be so adjusted to prevent the lights from shining onto both the roads and also adjacent houses. Consideration should also be given to the possibility of the

lights being done in conjunction with the bowling club as they for little or no additional expense could also benefit from this investment.”

The Council’s Geotechnics officer supports the application subject to the following Informatives – I17 Minerals Area and I20 Contaminated Land.

The Council’s Highways Engineer supports the scheme.

PLANNING CONSIDERATIONS:

The Council is building an indoor tennis centre at Oakengates Leisure Centre and have recently contracted a professional tennis coaching team, First Point Tennis Coaching. First Point will provide a community coaching and competition programme for all ages and abilities based at the new tennis centre as well as from the Hartshill and Bowring Park sites and schools across the borough. This is fully supported by the Lawn Tennis Association and Tennis Shropshire who are working closely with the Council to deliver this vision. This vision for the development of community tennis in Telford & Wrekin is part of the Council’s commitment to getting people to ‘do more, enjoy more, feel better’ through their Active Lifestyles priority plan.

For Hartshill Park the objectives are to improve the quality of the existing leisure provision and increase the physical and social accessibility of the provision. The proposed floodlights around the existing tennis courts in the park are an essential part of this and will enable a year-round community tennis programme which is delivered in easily accessible community sites across the borough.

Policy CS10 of the LDF Core Strategy states that the Council will support the provision of improvements to existing community facilities within the Borough. The Core Strategy supports the spread of facilities around the Borough, not only as an essential component of sustainable development, but also to promote social inclusion. Delivering sustainable and accessible sporting and recreational services is therefore seen as a key objective for the Borough.

The six floodlight columns would be located at the four corners of the tennis courts and at the mid point of the courts. The enhancement works will include dark sky lighting scheme. The light system is designed to IEE E1 standard, a standard deemed acceptable for areas of leisure parks etc. and prevents horizontal light spillage and contains vertical spillage to within 2 metres of the boundaries. The lights will be fitted with effective shields that will concentrate the light onto the playing surfaces at all times, and this will be conditioned accordingly.

Light Control

- The flood light operation is by a token. For the public this will entail the booking of the court and obtaining the flood light token from either Wellington Leisure, for Bowring, or The Place Theatre, for Hartshill. A tennis programme will be established outlining when the courts are available for public use and potential flood light use.

- Flood lights will not be used after 10.00pm
- Public use of the lighting will only be used between 1st September to 30th April, outside these dates there will be no public use of the floodlights.
- However, the Tennis Coaching Team ‘First Point Tennis Coaching’ based at the new Telford Tennis Centre at OLC has the ability to override this if so desired because of poor natural light conditions.
- ‘Telford Community Tennis Club’, a nomadic club that plays at various sites around the Borough including Bowring & Hartshill also has the ability to override this for club nights and matches if so desired because of poor natural light conditions.

The application site is well serviced by public transport with frequent bus services operating from Oakengates Centre. There are bus stops within walking distance. There is a vehicular access off Hadley Road where there is parking for several vehicles and two disabled parking bays. Oakengates railway station is within walking distance from the park.

In conclusion, it is considered that the installation of the floodlights will increase the usage of the tennis courts and provide an equitable programme that enables everyone within the community to access quality sport and recreation opportunities which accords with the Council’s objectives and priorities for active lifestyles. The floodlights have been designed to limit light spillage and glare. The park is well used at present and even if the courts were to be used most evenings of the week, it is considered that there will be no appreciable increase in the amount of any noise and disturbance that is experienced by local residents as a result of installing the floodlights.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 – Time limit – Full with no reserved matters
2. C38 – Development in accordance with plans
3. Lights to be concentrated on the playing surfaces at all times
4. Floodlights to be switched off between 10.00pm and 8.00am each day

REASON FOR APPROVAL:

The installation of the floodlights will increase the usage of the tennis courts and provide an enhanced community facility for the people of Oakengates and the surrounding area which accords with the Council’s objectives and priorities for active lifestyles. The net community benefits that this provision will bring will outweigh any adverse effects that may occasionally be experienced by neighbours of the site.

TWC/2011/0158 Gower Street, St Georges, Telford, Shropshire TF2 9DB
Application for Prior Notification under Part 24 of GPDO for erection of 15m high telecommunications monopole with 6 antennas (total height 15.5m high) and equipment cabinet.

APPLICANT

Telefonica o2 (uk) Ltd,

RECEIVED

22/02/2011

PARISH

St. Georges and Priorslee

WARD

St. Georges

THE WARD MEMBER, COUNCILLOR RICHARD OVERTON, HAS REQUESTED THAT THIS DETERMINATION SHOULD BE CONSIDERED BY THE COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: Yes.

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

THE PROPOSAL:

This is an application for a determination as to whether prior approval will be required in relation to the siting and appearance of a new 15 metre high slim line telecommunications monopole, with a new equipment cabinet at its base.

This is a site sharing facility for Vodaphone and O2. There would be three Vodaphone antennae within the monopole, between 12.2 and 13.5 metres above ground level, and three O2 antennae, between 14.05 and 15.35 metres above ground level. All the antennae are contained within a smooth circular sheath.

There would also be a ground equipment cabinet at the base of the pole. The monopole would both be coloured grey and the equipment cabinet would be green.

The applicants have stated that the proposal is required in order to provide 3G coverage for this part of St Georges.

SITE AND SURROUNDINGS:

The application site lies within an area of public open space opposite the former Youth Centre in Gower Street St Georges and in front of a row of semi-detached dwellings.

PLANNING POLICY CONTEXT:

Wrekin Local Plan Policy T21: Telecommunications.

This policy emphasises the requirement to balance the need for telecommunication systems with the need to minimise the proposal's visual impact on the surrounding area. Evidence should be provided to show that every effort has been made to erect the apparatus on existing buildings, masts, and other structures, and to share apparatus with other operators.

In May 2009 the Council adopted a Supplementary Planning Document titled 'Telecommunications Development' which provides guidelines relating to the Council's planning approach towards telecommunications development in the Borough. The key points of this document are as follows:

- The Council should not question the need for the telecommunications system which the proposed development is to support.
- Operators are expected to undertake pre-submission discussions with the Council, Parish Councils, and other residential groups to discuss service objectives, technical constraints, and environmental implications. Discussions should also be held with schools and nurseries if they are within 200 metres of the proposed development.
- Mast sharing is encouraged and full consideration should be given to using existing buildings and structures.
- Telecommunications development should take into account the height of the site in relation to surrounding land, the existence of topographical features and vegetation, and the effect on the skyline or horizon.
- Monopoles and their associated ground equipment should be painted in an appropriate colour to mitigate the visual impact of the installation.
- All applications must include an ICNIRP Declaration that the electromagnetic emissions from a mast or monopole will be in compliance with the ICNIRP guidelines for public exposure.
- 'Slimline' monopoles may be acceptable in residential areas, provided they are not unduly prominent in the street scene and are in keeping with the scale and appearance of the existing street furniture. The installation should not add significantly to the existing street 'clutter'.
- Operators will be expected to examine alternatives to establishing new masts, including the use of existing buildings.
- The proximity of telecommunications installations to residential property is not a material planning consideration unless it would have a significant impact, due to its siting and appearance, on visual amenity.

Planning Policy Guidance Note 8: Telecommunications (PPG8)

This sets out the Government's policy for the planning of telecommunications development. PPG8 encourages local planning authorities to respond positively to telecommunications proposals while protecting the environment from visual intrusion.

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

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

CONSULTATION RESPONSES:

The Ward Member, Richard Overton, objects to the proposal on the following grounds:

- This would be an eyesore in a residential area
- There are health concerns for local people
- Mast should not be placed in the centre of residential areas

The Parish Council objects to the application on the grounds that the mast would be a visual intrusion to the residents who overlook the site, and would be a visual distraction, thus creating a traffic hazard to motorists.

To date 17 e-mails have been received objecting to the proposal, the grounds of objection summarised as being:

- Health implications for young children playing on the grass
- Effects on health due to harmful emissions
- Too close to houses
- It will be an eyesore
- The mast will be highly intrusive and out of character with the existing street scene
- Wholly inappropriate in a residential area
- Existing signal strength for Vodaphone and O2 is not a problem in this area
- There are enough masts in the area already
- Too close to a heavily used main road
- Would de-value property prices
- Would encourage vandalism and anti-social behaviour
- 3G is already outdated and will soon be superseded
- Would have a devastating effect on wildlife because of the electromagnetic emissions

ADDITIONAL INFORMATION SUBMITTED BY THE APPLICANTS:

The applicants have submitted some additional information in support of their application:

- The apple i-phone and the widespread use of 'dongles', which provide a mobile broadband service for laptops, mean that more 3G stations are required. In addition, people are increasingly using mobile operators to provide their only home phone line and broadband connection. This increases the demand for base stations in residential areas.
- The 3G cells for 3G masts are approximately 1000 metres across. Additional masts will be required to cover adjoining areas.
- The proposed monopole would stand at a height taller than the existing street lighting columns in order for the pole to accommodate the required antennae, plus amplifiers, which enable the installation to provide the required coverage to the target area. Without these amplifiers the installation would not provide the required level of coverage, and could result in the need for an additional installation in the surrounding area.
- In order to minimise interference within its own network and with other radio networks, O2 and Vodaphone operate their networks in such a way that the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision.

- There are no existing telecommunications operator sites in the area which are suitable for sharing.
- The majority of the search area for this cell is predominantly medium density residential development. Other sites were investigated but were dismissed for various reasons:-
 - (a) the pavements were too narrow to accommodate any apparatus,
 - (b) too close to adjoining base stations operated by O2 and/or Vodaphone,
 - (c) too close to a children's play area,
 - (d) outside of the required coverage area,
 - (e) conflicted with land owner's future plans for the land,
 - (f) roof top locations would not provide the required height,
 - (g) adverse environmental impact on the surrounding area.
- The chosen location will have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area.
- The mast is a slimline monopole that has been utilised across the whole country. A replica telegraph pole could be used but it would have had to be taller than a monopole because the antennae are stacked within the body of the pole, and thus are slimmer but longer.

PLANNING CONSIDERATIONS:

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

The proposed monopole and its associated ground equipment cabinet would be situated within the area of public open space opposite the former Youth Centre. There are a number of 10 metre high street lighting columns along Gower Street, and the nearest residential property is approximately 30 metres from the proposal site.

The applicants have explored existing telecommunications installations, buildings, and other structures within the required coverage area, but all have been discounted for various reasons. The chosen site has been identified as the most suitable option that balances technical and operational requirements with local planning policies and national planning policy guidance, and also meets the need to minimise visual impact. The applicants state that careful consideration has been placed into finding a site that pulls the facility as far as possible away from any housing.

Although the monopole would differ in appearance from the existing angled street lighting columns, it would be in effect an additional item of street furniture and as such it would not be an alien feature to the street scene nor significantly visually intrusive. Its location within the grassed open space will not form an incongruous or unduly prominent feature on the skyline or on the

street scene. There is no fenced compound proposed, and it is normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads. Therefore the overall impact of the installation on the street scene is considered to be acceptable.

There is much public concern concerning the possible adverse health impacts of telecommunication development. However consideration of this application should follow the advice given in PPG8. Paragraph 98 states: *“..it is the Government’s firm view that the planning system is not the place for determining health safeguards. It remains central Government’s responsibility to decide what measures are necessary to protect public health. In the Government’s view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”*

The requisite ICNIRP certificate has been submitted with this application which confirms that the site and the proposed emissions would comply with the appropriate guidelines. Recent High Court and Court of Appeal decisions in relation to planning appeals for telecommunications equipment have established that when evidence is submitted to confirm that an installation falls within the ICNIRP guidelines, that a perception of fear or concerns about health issues do not provide justification for a Council to refuse an application.

Therefore, the proposed monopole is 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. The siting and design of the proposed development will ensure that there is no adverse impact on the character and appearance of the locality and the general street scene, and the mast sharing will help reduce the need for more masts in the area. Furthermore, proximity to dwellings is not a planning issue provided that the application includes an ICNIRP Declaration regarding emissions, which this application does, and that the installation satisfies normal planning considerations regarding the siting and appearance of development.

DETERMINATION:

The proposed 15 metre high slim line telecommunications monopole does not require a full planning application, and therefore **prior approval is given** for the siting and appearance of the telecommunications installation and its permitted development rights are hereby confirmed.

TWC/2011/0160 Hortonwood 30, Hortonwood, Telford, Shropshire TF1 7GT
Application for Prior Notification under part 24 of the GPDO for erection of
15m high telecommunications monopole with 6 antennae and equipment
cabinet.

APPLICANT

Telefonica o2 (uk) Ltd

RECEIVED

22/02/2011

PARISH

Hadley and Leegomery, Lilleshall,
Donnington and Muxton

WARD

Donnington, Hadley and Leegomery

OBJECTIONS RECEIVED: No.

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

THE PROPOSAL:

This is an application for a determination as to whether prior approval will be
required in relation to the siting and appearance of a new 15 metre high slim
line telecommunications monopole, with a new equipment cabinet at its base.

This is a site sharing facility for Vodaphone and O2. There would be three
Vodaphone antennae and three O2 antennae within the monopole and they
would all be contained within a smooth circular sheath.

There would also be a ground equipment cabinet at the base of the pole. The
monopole would both be coloured grey and the equipment cabinet would be
green.

The applicants have stated that the proposal is required in order to provide 3G
coverage for this part of Hortonwood.

SITE AND SURROUNDINGS:

The application site lies within the highway verge on the northern side of
Hortonwood 30, approximately 100 metres east from its junction with
Hortonwood 37 and 50, in the middle of the Hortonwood Industrial Estate.

PLANNING POLICY CONTEXT:

Wrekin Local Plan Policy T21: Telecommunications.

This policy emphasises the requirement to balance the need for
telecommunication systems with the need to minimise the proposal's visual
impact on the surrounding area. Evidence should be provided to show that
every effort has been made to erect the apparatus on existing buildings,
masts, and other structures, and to share apparatus with other operators.

In May 2009 the Council adopted a Supplementary Planning Document titled
'Telecommunications Development' which provides guidelines relating to the
Council's planning approach towards telecommunications development in the
Borough. The key points of this document are as follows:

- The Council should not question the need for the telecommunications system which the proposed development is to support.
- Operators are expected to undertake pre-submission discussions with the Council, Parish Councils, and other residential groups to discuss service objectives, technical constraints, and environmental implications. Discussions should also be held with schools and nurseries if they are within 200 metres of the proposed development.
- Mast sharing is encouraged and full consideration should be given to using existing buildings and structures.
- Telecommunications development should take into account the height of the site in relation to surrounding land, the existence of topographical features and vegetation, and the effect on the skyline or horizon.
- Monopoles and their associated ground equipment should be painted in an appropriate colour to mitigate the visual impact of the installation.
- All applications must include an ICNIRP Declaration that the electromagnetic emissions from a mast or monopole will be in compliance with the ICNIRP guidelines for public exposure.
- ‘Slimline’ monopoles may be acceptable in residential areas, provided they are not unduly prominent in the street scene and are in keeping with the scale and appearance of the existing street furniture. The installation should not add significantly to the existing street ‘clutter’.
- Operators will be expected to examine alternatives to establishing new masts, including the use of existing buildings.
- The proximity of telecommunications installations to residential property is not a material planning consideration unless it would have a significant impact, due to its siting and appearance, on visual amenity.

Planning Policy Guidance Note 8: Telecommunications (PPG8)

This sets out the Government’s policy for the planning of telecommunications development. PPG8 encourages local planning authorities to respond positively to telecommunications proposals while protecting the environment from visual intrusion.

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

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

CONSULTATION RESPONSES:

To date, no objections have been received.

ADDITIONAL INFORMATION SUBMITTED BY THE APPLICANTS:

The applicants have submitted some additional information in support of their application:

- The apple i-phone and the widespread use of ‘dongles’, which provide a mobile broadband service for laptops, mean that more 3G stations are required. In addition, people are increasingly using mobile operators to provide their only home phone line and broadband

connection. This increases the demand for base stations in residential areas.

- The 3G cells for 3G masts are approximately 1000 metres across. Additional masts will be required to cover adjoining areas.
- The proposed monopole would stand at a height taller than the existing street lighting columns in order for the pole to accommodate the required antennae, plus amplifiers, which enable the installation to provide the required coverage to the target area. Without these amplifiers the installation would not provide the required level of coverage, and could result in the need for an additional installation in the surrounding area.
- In order to minimise interference within its own network and with other radio networks, O2 and Vodafone operate their networks in such a way that the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision.
- There are no existing telecommunications operator sites in the area which are suitable for sharing.
- The majority of the search area for this cell is predominantly medium density light industrial development. Other sites were investigated but were dismissed for various reasons:- (a) closer to residential areas, (b) outside of the required coverage area, and (c) adverse environmental impact on the surrounding area.
- The chosen location will have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area.
- The mast is a slimline monopole that has been utilised across the whole country. A replica telegraph pole could be used but it would have had to be taller than a monopole because the antennae are stacked within the body of the pole, and thus are slimmer but longer.

PLANNING CONSIDERATIONS:

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

The proposed monopole and its associated ground equipment cabinet would be situated within the highway verge on the northern side of Hortonwood 30. There are a number of 10 metre high street lighting columns along the road, and the nearest residential property is over 500 metres from the proposal site.

The applicants have explored existing telecommunications installations, buildings, and other structures within the required coverage area, but all have been discounted for various reasons. The chosen site has been identified as the most suitable option that balances technical and operational requirements with local planning policies and national planning policy guidance, and also meets the need to minimise visual impact.

Although the monopole would differ in appearance from the existing angled street lighting columns, it would be in effect an additional item of street furniture and as such it would not be an alien feature to the street scene nor

significantly visually intrusive. Its location within the grassed highway verge will not form an incongruous or unduly prominent feature on the skyline or on the street scene, and the mast will be seen against the background of large industrial buildings. There is no fenced compound proposed, and it is normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads. Therefore the overall impact of the installation on the street scene is considered to be acceptable.

There is much public concern concerning the possible adverse health impacts of telecommunication development. However consideration of this application should follow the advice given in PPG8. Paragraph 98 states: *"..it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."*

The requisite ICNIRP certificate has been submitted with this application which confirms that the site and the proposed emissions would comply with the appropriate guidelines. Recent High Court and Court of Appeal decisions in relation to planning appeals for telecommunications equipment have established that when evidence is submitted to confirm that an installation falls within the ICNIRP guidelines, that a perception of fear or concerns about health issues do not provide justification for a Council to refuse an application.

Therefore, the proposed monopole is 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. The siting and design of the proposed development will ensure that there is no adverse impact on the character and appearance of the general street scene, which is within an existing industrial estate, and the mast sharing will help reduce the need for more masts in the area. Furthermore, proximity to dwellings is not a planning issue provided that the application includes an ICNIRP Declaration regarding emissions, which this application does, and that the installation satisfies normal planning considerations regarding the siting and appearance of development.

DETERMINATION:

The proposed 15 metre high slim line telecommunications monopole does not require a full planning application, and therefore **prior approval is given** for the siting and appearance of the telecommunications installation and its permitted development rights are hereby confirmed.