

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 13th April, 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, G.M. Green, F.R. Picken, H. Rhodes, and M.J. Smith

ALSO PRESENT: Councillors K.S. Sahota (for planning applications TWC/2010/0637 and TWC/2011/0017) and R. Overton (for planning application TWC/2011/0158)

PB-105 DATE OF NEXT MEETING

The Chairman advised the Board that the next meeting of the Plans Board, scheduled for Wednesday, 27th April 2011, would be cancelled due to the Borough Council Election timetable and the dates of the Easter holiday.

PB-106 MINUTES

RESOLVED – that the minutes of the meetings of the Plans Board held on Wednesday, 30th March, 2011 be confirmed and signed by the Chairman.

PB-107 APOLOGIES FOR ABSENCE

None.

PB-108 DECLARATIONS OF INTEREST

None.

PB-109 DEFERRED/WITHDRAWN APPLICATIONS

RESOLVED – that planning applications TWC/2010/0688, TWC/2010/0715 and TWC/2010/0820 be deferred until the meeting of the Board on the 1st June, 2011 to allow Members to make a Site Visit and that planning application TWC/2011/0108 be withdrawn for consideration at a later date.

PB-110 SITE VISITS

RESOLVED - that Site Visits be made in respect of planning applications TWC/2010/0688, TWC/2010/0715 and TWC/2010/0820 commencing at 3.00 p.m.

PB-111 PLANNING APPLICATION FOR DETERMINATION

- (a) TWC/2010/0637 – Land adjacent 34 Rhodes Avenue, Dawley, Telford, Shropshire

This application sought full planning permission for the erection of a small detached 2 bedroom dwelling with a kitchen/diner and a lounge area on the side garden land of an established red brick, end-terrace property. Councillor K. Singh Sahota had requested that the application be determined by the Plans Board and its determination had been deferred until this meeting to enable Members to make a Site Visit.

Great Dawley Parish Council had no objections to the proposal but 2 neighbour letters and a petition with 11 names had been submitted, raising a number of objections including the safety of children walking to and from school during construction, the inconvenience to residents when accessing properties, parking and manoeuvring vehicles, and the removal of a silver birch tree from the site. The Council's Highways Engineer and the Drainage Engineer had no objections subject to appropriate conditions, as set out in the report.

The site had no land allocation within the Wrekin Local Plan and could, therefore, be considered for development. No.34 had only a side garden with the rear garden area serving No. 33 Rhodes Avenue. It was proposed to sub-divide the side garden area to create the new plot, with a garden located on the triangular piece of land to the front and side, bin storage to the rear, and a reduced garden area to No.34.

Following discussions with officers, the plans had been amended to ensure that sufficient amenity space was provided for both the existing and proposed dwellings and to minimise problems of overlooking/loss of privacy of adjoining properties in Rhodes Avenue. The proposed dwelling had been repositioned to provide usable amenity space to the side of the property and the rear bedroom window relocated to the side elevation. As a result, there were now no habitable room windows at first floor on the rear elevation and, therefore, there would be no detrimental impact on adjoining residential amenities. A condition could be imposed to ensure that no additional windows were added to the development. Whilst the new property would be of a different form and design to the terraced row, the materials, roof eaves, ridge height and window proportions would match the prevailing character and appearance.

One parking space would be provided at the front of the site with a space for No.34, which was considered to be adequate for both properties. Following the concerns raised by neighbours, a condition could be imposed to ensure details were provided of the parking of construction traffic and the storage of materials in order to minimise inconvenience to adjoining residential properties and protect highway users on the pedestrian access to the side of the site. The silver birch tree, which had been removed for safety reasons, could be addressed by a suitable replacement landscaping scheme controlled by condition.

Councillor K.S. Sahota, Ward Member, spoke against the application on behalf of local residents and stressed their concerns as set out in the letters of objection. Ms. Kayleigh Willetts, a local resident, spoke against the application and reiterated the concerns expressed by Councillor Sahota.

Tony Appleby, the applicant's agent, spoke in favour of the application. He said that understood the concerns of residents, which he had sought to address when

preparing the application. With regard to any potential problems from construction and delivery vehicles, these would be controlled by good site management. He would be relocating to Telford and would be available to resolve any issues raised by the residents during the construction process. In conclusion, he emphasised that the Council's Highways Engineer had raised no objections to the proposal.

Members voiced a number of concerns about the application in particular the loss of amenity space, access issues, and the closeness of the proposed dwelling to the boundary. There being no proposer for the recommendation to approve the application, it was proposed and seconded that the application be refused.

RESOLVED – that planning application TWC/2011/0637 be refused as it was considered to be overdevelopment of an unacceptable site which would result in an insufficient area of amenity space for the proposed dwelling.

(b) TWC/2010/0820 – Land off Queens Drive, Newport, Shropshire

This was an application for the erection of a pair of 4 bedroomed semi-detached dwellings with integral garages on a vacant 0.16 acre site situated between the rear gardens of nos. 4 and 6 Station Road and 1 Queens Drive. Queens Drive was a cul-de-sac in a predominantly residential area comprising various styles and ages of 2 and single storey dwellings. It lay outside the Newport Conservation Area but was within the built up area of Newport. The site had previously formed the rear gardens of nos. 4 and 6 Station Road, a pair of Grade II white painted stuccoed 2 storey Victorian dwellings. There was a landscape strip approximately 2m wide between the application site and the public highway.

Newport Town Council supported the application subject to conditions and the Council's Highways Engineer had no objections subject to conditions in respect of driveway surfacing, visibility splay and gates.

Planning Application W2007/0152 for the erection of a pair of semi-detached dwellings was refused in March 2007 but had been allowed on appeal by the Planning Inspector. Due to the downturn in the economy this permission had not been implemented and had lapsed leading to the submission of the current and identical application. However, the principle of 2 dwellings on the site, as established by the Inspector's decision, was a material consideration when assessing this application.

The occupiers of 10 neighbouring properties had made representations in respect of the application, as outlined in the report, and to which the officer's report had responded, as follows.

With regard to the size of the proposed development, in allowing the appeal the Planning Inspector had taken the view that the proposed development should be seen in the context of detached and semi-detached houses that had reasonably spacious and open settings. In contrast, the proposed development site was smaller and, although each house would be off-set from the side boundaries, the development would have an effective height of 2 stories across the entire site. Despite this, the Inspector did not consider that the site would have an over-

developed appearance. To the south-west there would be open space in the form of the rear garden of 4 Station Court and a single storey garage and entrance to 1 Queens Drive opposite, which would 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. In addition, the proposed development was sufficiently distant from the adjacent Listed Buildings to ensure that they would not be adversely affected.

Concerns had been raised by neighbours regarding overlooking and loss of privacy. However, while the Inspector had 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, he had been of the opinion that the substantial holly hedge along the common boundary would provide effective screening between the two properties and, in the unlikely event that it was removed, alternative screening could be provided. Therefore, there would be no detrimental impact on the neighbours' living conditions and the proposal complied with 'saved' policy UD2 of the Wrekin Local Plan (WLP).

With regard to the provision of adequate drainage of surface water, anecdotal evidence provided by neighbours was noted but the Inspector had previously pointed out that such issues could be addressed via appropriate conditions and was satisfied that adequate provision could be made. The Council's Drainage Engineer had agreed with this approach and had no objections to the proposal subject to conditions. Therefore, the proposal complied with 'saved' policy UD2 of the WLP.

Neighbours had raised concerns regarding the impact of additional traffic but Queens Drive was a quiet cul-de-sac and the Inspector had 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 was provided on the site and, thus, movement on Queens Drive would not be impeded. With regard to highway safety, providing a satisfactory visibility splay could be provided at the entrance to the site across the landscape strip, the safety of traffic would not be compromised and adequate views would be available up and down Queens Drive. Therefore, the proposal complied with 'saved' policy UD2 of the WLP.

The ownership of the landscape strip was currently not known, as raised by objectors to the application, but Members were advised that this issue was not a material planning consideration. In addition, the Inspector had observed that, even if ownership was disputed, traffic safety would not be compromised provided that the applicant could secure the necessary visibility at the entrance.

In response to the concerns expressed by neighbouring properties, Members were informed that the parking of construction vehicles and the storage of machinery and building materials could be controlled by a condition requiring a scheme to be submitted prior to commencement of the development.

Objections had also been submitted that the application was an instance of 'garden grabbing'. Whilst Planning Policy Statement 3 – Housing had recently been revised to prevent this, by excluding residential gardens from the definition of previously developed land, this gave less national support than previously and did not prohibit

development of garden land. Therefore, it was not justification alone for refusing planning permission.

The Planning Officer advised Members that, if they were minded to refuse the application, their decision would be contrary to the Secretary of State's decision and could be considered perverse and a subsequent appeal could lead to costs being awarded against the Council.

The update report tabled at the meeting informed the Board that an additional representation, including historical maps of the area, had been received from the occupier of no. 9 Queens Drive. The issues raised, which related to the strip of land between the application site and the public highway, were summarised in the report. In response, the Planning Officer stated that, regardless of the boundaries indicated on the old maps and the Town Council's intention to claim this strip of unregistered land and having previously maintained it, this did not impact upon the principle of the development of the site. The correct ownership certificates had been signed and the requisite publication and advertisement of the application had taken place. Members were advised that lines on Ordnance Surveys maps were features which were present on the site when the land was surveyed, i.e. walls, buildings, verges, and the centre line of hedges, but did not necessarily show boundaries, land ownership and title. The update report further listed the other issues raised in the representation.

Ms. R Borsley spoke against the application with reference to the loss of light and privacy to two properties, and the narrowness of Queens Road. In addition, she said that great crested newts had been found on the site and asked that a full ecological survey be undertaken. She had taken legal advice and stated that the application was not in keeping with a Grade II Listed Building and the proposed dwellings were too large for this small plot. If the application were to be approved, she asked how the conditions would be enforced and any breaches reported. The application stated that there was sufficient space for vehicles to park but she did not agree with this and requested that the Board impose a condition requiring cars to only park within the boundaries of the properties.

Mr. R. Jones also spoke against the application on the basis of loss of privacy and impairment of his enjoyment of the Grade II Listed Building. He asked if there was a requirement for land formerly comprising the garden of a Listed Building to be delisted before planning approval was granted. Although the earlier application had been granted planning permission on appeal, his objections remained the same and he considered that the current application should be treated as a new one and not just determined in line with the Planning Inspector's decision.

Steve Atkinson of Design Forum, spoke on behalf of the applicant. The previous application in 2007 had been agreed by the Planning Inspector and this application was a renewal of that proposal, which had established the principle of development on the site. He considered that the context of the development was acceptable, compliant with local planning policies, and would provide a sustainable development to enhance the area.

In response the Planning Officer reminded Members that the Planning Inspector's decision still stood. With regard to the comments on the presence of great crested

newts on the site, she said that the Ecological Officer had had no objections to the application but that the situation could be investigated.

The Head of Housing & Planning reminded Members of the previous approval and said that the Council could incur costs if they were minded to refuse the application. In response to the request for a condition to prevent vehicles from parking on the highway, he explained that this was not possible as the Local Planning Authority could only condition to prevent vehicles blocking the highway. However, given the concerns raised with regard to the great crested newts, and proposed development within the curtilage of a Listed Building, he advised the Board that a Site Visit would enable them to see the Planning Inspector's decision in context and, thus, make a secure and reasonable decision on the application.

RESOLVED – that determination of planning application TWC/2010/0715 be deferred to allow the Board Members to make a Site Visit.

(c) TWC/2011/0017 – Land at Prince Edward Crescent, Malinslee, Telford, Shropshire

The application sought full planning permission for the erection of 12no. 2-bedroom affordable bungalows with parking provision, private amenity space and landscaping on an area of public open space, together with the relocation of an improved local equipped area of play (LEAP) to the south of the site. The dwellings were specifically for people aged over 55 and the accommodation mix comprised 2 mobility bungalows with the remainder being socially rented properties and other affordable types. The majority of the tree belt along the north and east boundaries of the site would be retained with additional tree planting adjacent to the new LEAP. Both Councillor K.S. Sahota, the Ward Member, and Great Dawley Parish Council had requested that the application be considered by the Plans Board.

Great Dawley Parish Council had initially raised no objections but, following re-consultation, had done so the grounds that the application was contrary to the Central Telford Area Action Plan (CTAAP). The Council's Highways Engineer and the Parks and Open Spaces Officer had no objections subject to appropriate conditions and the Arboricultural Officer had withdrawn his initial objections subject to the conditions as set out in the report. 11 neighbour letters of objection and a petition containing 26 names had been received, as summarised in the report.

The principle of residential development on this site had previously been approved by the granting of outline approval for 13 dwellings, including access, by the Plans Board in 2009 (W2008/1324). The layout of the development on site had been slightly revised following discussions with the Local Planning Authority and the developers had submitted a full planning application rather than an application for reserved matters. Both the current application and W2008/1324 had been submitted in conjunction with the Malinslee Local Centre redevelopment (W2007/0359) in providing affordable housing associated with the residential element of the scheme. The site was in a highly accessible location within walking distance of both Malinslee Local Centre and Telford Town Centre. It was, therefore, considered that residential development of this scale and form and providing affordable housing complied with

policies CS3, CS9 and CS10 of the Core Strategy, H6 and H23 of the Wrekin Local Plan (WLP) and national guidance contained in PPS1 and PPS3.

The site did not constitute Green Network in the WLP but, when green spaces were evaluated for the CTAAP Action Plan, it was considered that this site should be included. At the time of that assessment, the application for outline planning permission (W2008/1324) was being considered for the site. Policy CT21 of the Core Strategy required the protection of all green spaces within the designation, however there was some flexibility built in to allow development where it was 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). 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 was retained with additional landscaping to screen the LEAP from adjoining residential properties. Thus, on balance, the loss of green space was considered acceptable in this instance.

Officers considered that the proposal would alter the character and appearance of the existing site but given the site's context in a predominantly residential area with larger areas of open space, adjacent play provision, the LEAP to the south, and the retention of trees to the north and east boundaries of the site, the proposal would not have a significant detrimental impact on the character and appearance of the area.

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

The vehicular access to the site between Nos.22 and 23 Prince Edward Crescent had been agreed at the outline planning stage. Whilst, it was acknowledged that Prince Edward Crescent was a narrow road, the assessment of the Highways Engineer was that the additional traffic associated with this development could be accommodated without detriment to highway safety. The site included a shared surface/traffic calming measures which would dictate lower speeds and ensure the safety of pedestrians, and children using the LEAP. Parking provision of 1 allocated space for each new dwelling and 9 visitor parking spaces was considered sufficient given the proximity to the Local Centre and Town Centre and public transport links.

The layout and orientation of the proposed 12 bungalows had been designed to ensure that the development did not have an adverse impact on existing and proposed residential amenities. As the buildings were single storey, there would be no problem of overlooking or loss of privacy or light to the existing properties whose gardens adjoined the site. However, the area would benefit from dual aspect properties, providing natural surveillance. The proposed gardens were relatively modest in size but were considered comparable with the surrounding area and, therefore, acceptable.

There would be a 20m. separation distance between the LEAP and the existing properties in Prince Edward Crescent and Prince Charles Crescent which was considered sufficient to ensure that it would not cause an unacceptable level of noise and disturbance to residents. Whilst it was not possible to ensure the behaviour all users of the LEAP, the proposed development would provide a level of natural surveillance which would help to reduce potential anti-social behaviour in the area. Provision for older children would be sited at Malinslee Local Centre and at Telford Town Park. As the development would provide housing for people over 55 years of age, it was considered appropriate to limit play provision design for the under 7s in line with the previous approval. Furthermore, additional planting was proposed between the existing properties and the LEAP to maintain residential amenity. It was suggested that appropriate conditions were imposed with regard to on-site construction and hours of construction work in order to protect residential amenity. The retention of the trees and additional landscaping would ensure that the impact on birds and wildlife was minimised.

With regard to other matters raised by local residents, whilst officers noted their concerns that the proposal would only benefit new residents and be to the detriment of existing residents, the proposal was being developed in conjunction with the Malinslee Redevelopment Scheme to provide affordable housing and upgraded play provision and would, therefore, benefit the wider community. Malinslee was relatively densely populated but the proposed scale of development was considered appropriate to the context of the area and would not lead to a complete loss of the existing open space.

The update report, as tabled at the meeting, informed the Board that, following discussions with the applicants' agents, it was proposed to omit one of the suggested condition, 'Dwellings to be built to Code 4 rating of the *Code for Sustainable Homes*,' and to include it as an informative on the Decision Notice. The applicants had stated that, while it was the intention for each dwelling to achieve this standard, they were concerned that, if this was not possible, the imposition of such a condition could affect the viability of the scheme. Accordingly, officers recommended that the Code be included as an informative to encourage such standards.

Councillor Nicola Holmes, Vice-Chairman of Great Dawley Parish Council, spoke against the application. She referred to Policy CT21 of the Core Strategy and said that she did not consider that exceptional circumstances applied in this instance or that the scheme was unavoidable as alternative sites had not been fully considered. In addition, she spoke of the problems construction traffic would cause to what was a narrow, single track cul-de-sac and the danger to children and residents and, in conclusion, said that approval of the application would be contrary to the Council's own planning policies and would result in the loss of an important local community amenity. Councillor K.S. Sahota, Ward Member, spoke against the application and reiterated the comments made by Councillor Holmes.

Mrs. S. Chowdhury and Ms. K. Worthing, local residents, spoke against the application. Mrs. Chowdhury said that the proposed layout of the bungalows would inhibit both her family and the residents of the bungalows. While the applicant had

stated that scheme would enhance safety in the area, she had not experienced any problems in the 32 years she had lived in her house, a period of time in which she had also seen 3 generations of children growing up using the green area. Ms Worthing also considered that the application would contravene CT21, result in a loss of green space, and lead to an increase in traffic which would endanger the safety of children.

Matthew Haynes, of the Council's Property & Design, spoke on behalf of the application, as the Council was the owner of the site with the developer being the Wrekin Housing Trust, and said that the application was little changed from that granted outlined planning permission in 2009. With regard to the concerns expressed regarding the narrowness of Prince Edward Crescent, he said that large refuse vehicles did not experience any such problems and no construction companies had expressed concerns at the access. The scheme was only likely to generate a minimal amount of additional traffic as the bungalows would be occupied by retired people and people aged over 55. There was a strong local need for 100% affordable bungalows for these groups and for disabled people and, therefore, the site could be seen as exceptional within the CTAAP. In conclusion, he said that the capital receipt from the sale of this site would be reinvested directly into the Malinslee Ward and refusal of the application would create a large funding gap for the Community Centre development.

The Planning Officer reminded the Board that the outline planning consent was still valid and one year was left in which the applicant could submit a Reserved Matters application. The application before the Board was for 12 bungalows but the applicant could still submit a reserved matters for 13 bungalows as per the outline consent. With regard to the concerns expressed by Mrs. Chowdhury, the Planning Officer said that it was considered that there was sufficient separation distance between her plot and the proposed units, in addition to which the units would be lower in height than the existing houses. While some trees would be lost as a result of the scheme, a large number would be retained. A LEAP for under 7s would be provided as that would reduce the need for older children to use it and, potentially, cause a nuisance to older residents. With regard to the loss of green space and policy CT21, the officer informed the Board that the application had been validated in February 2011 with CTAAP being approved in March 2011. Policies CT21 & 22 permitted some flexibility where development was unavoidable and it was considered that this site could be judged to be an exception as it already had outline consent.

The Chairman reminded the Board that the application could only be refused on the grounds of design, as the principle of development on the site had been accepted at the outline stage. However, Councillor H. Rhodes said that she could not support an application that was contrary to CTAAP. Councillors F.R. Picken and R.T. Kiernan supported the provision of housing for these specific groups.

The Head of Housing & Planning advised that this was an application for full planning permission and that, while CTAAP sought to protect green space, an appropriate development would not be inconsistent with that. Bungalows were sought after in the Borough but not frequently delivered and, therefore, Members needed to balance the loss of open space against the requirements of the elderly for

purpose built and affordable housing. The site was owned by the Council and its sale would enable a direct community benefit to be provided.

RESOLVED – that with respect to planning application TWC/2011/0017 planning permission be granted subject to the conditions as set out in the update report tabled at the meeting.

(d) TWC/2011/0140- Hartshill Park Tennis Courts, Oakengates, Telford, Shropshire

This application by Telford & Wrekin Council related to the erection of 6no. 8m high floodlights to illuminate the 2 existing tarmac surface tennis courts. The Council was building an indoor tennis centre at Oakengates Leisure Centre and, together with a professional tennis coaching team, First Point Tennis Coaching, would provide a community coaching and competition programme for all ages and abilities at a number of locations across the Borough, as fully supported by the Lawn Tennis Association and Tennis Shropshire. The proposed floodlights around the existing tennis courts were an essential part of this initiative as they would enable a year-round community tennis programme in an easily accessible community site.

Following publication of the application, no comments had been received from neighbours. Oakengates Town Council supported the application but had asked that any planning consent should ensure that the lights were adjusted to prevent them shining into adjacent houses.

The 6 floodlight columns would be located at the 4 corners of the tennis courts and at the mid point of the courts. They would provide a dark sky lighting scheme, which was designed to an IEE E1 standard deemed acceptable for such areas of leisure parks and prevented horizontal light spillage and contained vertical spillage to within 2m of the boundaries. The lights would be fitted with effective shields that would concentrate the light onto the playing surfaces at all times and would be conditioned accordingly.

The flood light operation would be by a token obtained by users on booking a court and a tennis programme would detail when the courts were available for public use and potential flood light use. Flood lights would not be used after 10.00 p.m. and only between 1st September to 30th April, although the Tennis Coaching Team would have the ability to override this if necessary if there were poor natural light conditions.

The application site was well serviced by public transport with frequent bus services operating from Oakengates Centre and the Railway Station was within walking distance.

The park was well used at present and, even if the courts were to be used most evenings of the week, it was considered that there would be no appreciable increase in the amount of noise and disturbance experienced by local residents as a result of installing the floodlights.

RESOLVED – that with respect to planning application TWC/2011/0140 planning permission be granted subject to the conditions as set out in the report.

(e) TWC/2011/0158 – Gower Street, St. George's, Telford, Shropshire

This was an application for a determination as to whether prior approval was required in relation to the siting and appearance of a new 15m. high slim line telecommunications monopole with 6 antennae, giving a total height of 15.5m, on an area of public open space opposite the former Youth Centre and in front of a row of semi-detached dwellings. The monopole would be coloured grey and the ground equipment cabinet at the base of the pole would be green.

The site was a shared facility for Vodaphone and O2 with 3 Vodaphone antennae within the monopole, between 12.2 and 13.5m. above ground level, and 3 O2 antennae, between 14.05 and 15.35m. above ground level all of which would be contained within a smooth circular sheath. The applicants had stated that the proposal was required in order to provide 3G coverage for this part of St Georges.

Councillor R. Overton, the Ward Councillor, had requested that the determination should be considered by the Plans Board. He had submitted objections to the proposal and 17 e-mails had been received objecting to the proposal, as summarised in the report.

The applicants had submitted additional information in support of their application. The Apple i-phone and the widespread use of 'dongles', which provided a mobile broadband service for laptops, meant that more 3G stations were required. In addition, people were increasingly using mobile operators to provide their only home phone line and broadband connection, which had increased the demand for base stations in residential areas. The 3G cells for 3G masts were approximately 1000m. across and additional masts would be required to cover adjoining areas. The proposed monopole would be taller than the existing street lighting columns in order for the pole to accommodate the required antennae, plus amplifiers, which enabled the installation to provide the required coverage to the target area. Without these the installation would not provide the required level of coverage, which 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 operated their networks in such a way that the radio frequency power outputs were kept to the lowest levels commensurate with effective service provision.

With regard to the choice of application site, the applicants had stated that there were no existing telecommunications operator sites in the area which were suitable for sharing, the majority of the search area for this cell was predominantly medium density residential development, and other sites had been investigated but dismissed for the reasons set out in the report. In conclusion, the applicants considered that the chosen location would have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area. The mast was a slimline monopole that had been utilised across the whole country and, while a replica telegraph pole could be used, it would have had to be taller than a monopole because the antennae were stacked within the body of the pole and thus

were slimmer but longer. Careful consideration had been given to finding a site that placed the facility as far as possible away from any housing.

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

Although the monopole would differ in appearance from the existing angled street lighting columns, it would, in effect, be an additional item of street furniture and, as such, would not be an alien feature to the street scene nor significantly visually intrusive. Its location within the grassed open space would not form an incongruous or unduly prominent feature on the skyline or on the street scene. There was no fenced compound proposed and it was normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads. Therefore, the overall impact of the installation on the street scene was considered to be acceptable.

There was much public concern concerning the possible adverse health impacts of telecommunication development. However Members were advised that consideration of this application should follow the advice given in PPG8, paragraph 98 *"..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 had been submitted with this application which confirmed 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 had established that when evidence was submitted to confirm that an installation fell within the ICNIRP guidelines, that a perception of fear or concerns about health issues did not provide justification for a Council to refuse an application.

Councillor R. Overton, Ward Member, spoke against the application and expressed the concerns of local residents that the proposed mast would be a visually intrusive structure in the heart of a residential area and would appear taller in its context due to the site being on a hill. The proposed mast would be sited on a highway verge on which children played and he made reference to the refusal of an application for a mast in Priorslee which would have been sited along a main road with an adjacent play area but no adjacent residential properties and asked the Board to take a consistent approach when determining this application.

Councillors H. Rhodes and M.J. Smith both were of the opinion that the proposed location of the mast would be too close to the houses, be intrusive and out of character in the street scene. The Planning Officer advised the Board that the Local Planning Authority could not dictate the location as it did not have the necessary technical knowledge. However, the Head of Housing & Planning said that Members

could decide not to give prior approval and advise the applicant to look for an alternative and more appropriate location.

There being no proposer that the application be given prior approval, it was proposed and seconded that prior approval not be given.

DETERMINATION:

The proposed 15 metre high slim line telecommunications monopole not be granted **prior approval.**

Reasons for Refusal.

- 1. The proposed mast will be visually intrusive in this residential area due to its height and siting;**

The applicant to be made aware that alternative sites be more fully explored.

- (f) TWC/2011/0160 – Hortonwood 30, Hortonwood, Telford, Shropshire

This was an application for a determination as to whether prior approval would be required in relation to the siting and appearance of a new 15m. high slim line telecommunications monopole with 6 antennae, with a new equipment cabinet at its base on a site within the highway verge on the northern side of Hortonwood 30. The monopole would be coloured grey and the equipment cabinet coloured green.

The site was a shared facility for Vodaphone and O2 with 3 Vodaphone antennae and 3 O2 antennae within the monopole, all to be contained within a smooth circular sheath. The applicants had stated that the proposal was required in order to provide 3G coverage for this part of Hortonwood.

The applicants had submitted additional information in support of their application. The Apple i-phone and the widespread use of 'dongles', which provided a mobile broadband service for laptops, meant that more 3G stations were required. In addition, people were increasingly using mobile operators to provide their only home phone line and broadband connection, which had increased the demand for base stations in residential areas. The 3G cells for 3G masts were approximately 1000m. across and additional masts would 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 enabled the installation to provide the required coverage to the target area. Without these amplifiers the installation would not provide the required level of coverage, which 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 operated their networks in such a way that the radio frequency power outputs were kept to the lowest levels commensurate with effective service provision. With regard to the choice of application site, the applicants had stated that there were no existing telecommunications operator sites in the area which were suitable for sharing, the majority of the search area for this cell was predominantly medium density residential development, and other sites had

been investigated but dismissed for the reasons set out in the report. In conclusion, the applicants considered that the chosen location would have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area. The mast was a slimline monopole that had been utilised across the whole country and, while a replica telegraph pole could be used, it would have had to be taller than a monopole because the antennae were stacked within the body of the pole and thus were slimmer but longer.

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

Although the monopole would differ in appearance from the existing angled street lighting columns, it would, in effect, be an additional item of street furniture and, as such, would not be an alien feature to the street scene nor significantly visually intrusive. Its location within the grassed highway verge would not form an incongruous or unduly prominent feature on the skyline or on the street scene and the mast would be seen against the background of large industrial buildings. There was no fenced compound proposed and it was 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 was considered to be acceptable.

There was much public concern concerning the possible adverse health impacts of telecommunication development. However, Members were advised that consideration of this application should follow the advice given in PPG8, paragraph 98 *“..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 had been submitted with this application which confirmed 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 had established that when evidence was submitted to confirm that an installation fell within the ICNIRP guidelines, that a perception of fear or concerns about health issues did not provide justification for a Council to refuse an application.

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.

PB-112 URGENCY RESOLUTION – SECTION 100B(4), LOCAL GOVERNMENT ACT 1972

The Chairman of the meeting made the following statement:

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

PB-113 PLANNING APPLICATION TWC/2011/0144 – BOWRING PARK TENNIS COURTS, HAYGATE ROAD, WELLINGTON, TELFORD, SHROPSHIRE

This application by Telford & Wrekin Council related to the erection of 6no. 10m high floodlights to illuminate 4 existing tarmac surface tennis courts located in the middle of Bowring Park.

One letter of support had been received from a neighbouring property encouraging the extended use of the tennis courts beyond normal daylight hours and Wellington Town Council had no objections to the scheme. The Council’s Ecology Officer had stated that the measures to prevent horizontal and vertical spillage to within 2m. and the would not adversely affect any protected species.

The Council was building an indoor tennis centre at Oakengates Leisure Centre and, together with a professional tennis coaching team, First Point Tennis Coaching, would provide a community coaching and competition programme for all ages and abilities at a number of locations across the Borough, as fully supported by the Lawn Tennis Association and Tennis Shropshire. The proposed floodlights around the existing tennis courts were an essential part of the scheme as they would enable a year-round community tennis programme in an easily accessible community site.

The 6 floodlight columns would be located at the 4 corners of the tennis courts and at the mid point of the courts. They would provide a dark sky lighting scheme, which was designed to an IEE EI standard deemed acceptable for such areas as leisure parks and prevented horizontal light spillage and contained vertical spillage to within 2m of the boundaries. The lights would be fitted with effective shields that would concentrate the light onto the playing surfaces at all times and would be conditioned accordingly.

The flood light operation would be by a token obtained by users on booking a court and a tennis programme would show when the courts were available for public use and potential flood light use. Flood lights would not be used after 10.00 p.m. and only between 1st September to 30th April, although the Tennis Coaching Team would have the ability to override this if necessary when there were poor natural light conditions.

The application site was well serviced by public transport with frequent bus services operating from Wellington Centre and bus stops along Haygate Road within walking distance. There was a vehicular access off Haygate Road via a gated entrance giving access to parking for approximately 20 vehicles together with an existing

provision for cycles. Wellington railway station was within walking distance from the Park.

The park was well used at present and, even if the courts were to be used most evenings of the week, it was considered that there would be no appreciable increase in the amount of any noise and disturbance that was experienced by local residents as a result of installing the floodlights.

RESOLVED – that with respect to planning application TWC/2011/0144 planning permission be granted subject to the conditions as set out in the report.

PB-114 PLANNING APPLICATION – TWC/2011/0078 - UNIT B, STAFFORD PARK 2, STAFFORD PARK, TELFORD, SHROPSHIRE

This application was for the part demolition of an existing industrial building, the conversion of the remaining part of the building to a motor car dealership for the selling of new and used vehicles, servicing, valeting and MOT, together with associated external alterations. The floor area of the existing building was 3095 sq.m., which would be reduced to 1884 sq.m, with 567 sq.m. being created on the first floor. The ground floor the building would accommodate a workshop for 13 vehicles, a valeting bay for 4 vehicles, a showroom for 10 vehicles, sales desks, offices, reception, and parts store and the first floor would have additional offices, canteen, parts store, and storage. The existing property on the site was a steel portal frame building with brick/blockwork infilling and most of the walls would be re-clad with goosewing grey galvanised or smooth insulated cladding and the showroom element would be glazed. The existing access arrangements onto the site from Stafford Park 2 would remain unchanged and car parking provision would comprise 73 customer spaces, 58 used car spaces, and 114 spaces in the car compound.

Hollinswood & Randlay Parish Council had no objections to the application. The Council's Highways Engineer had no objections subject to a condition relating to the provision of car parking and the Council's Ecologist had no objections subject to a condition relating to bat and bird boxes, and to wildlife informatives. The Council's Arboricultural Officer had objected to the application by reason of there being no tree survey accompanying the application, and no mitigation planting to compensate for the loss of the trees that had been felled.

The building had been used for industrial/warehousing purposes in the past but had remained vacant since 2001 and, despite active marketing, the owner had not been able to secure its letting or sale for the currently approved planning uses. The current industrial market in Telford for properties of this age, size, and type was very difficult given the level of investment needed to bring the properties up to a decent standard which was reflected in the large number of industrial buildings over 10,000 sq feet which were currently vacant. The applicants had stated that they wished to expand their business but could not do so on their existing sites in Trench and Bridgnorth. They had undertaken a site search over a wide area and this site was the only suitable one otherwise they would have to take the investment out of

Telford. It was envisaged that 49 full-time and 3 part-time staff would be employed on the site.

In principle there was no objection to the site accommodating a car dealership as it would complement the existing car dealerships in this part of Stafford Park. It was also considered that the redevelopment proposals would visually update and modernise a bland and uninteresting building that looked somewhat dated in design and appearance. Although the existing building and the land at the eastern end of the site was shown on the Wrekin Local Plan as 'white land' on the Wrekin Local Plan, where new development was acceptable in principle, the western end of the site was designated as Green Network. This part of the site, which extended for approximately 50m. along the site frontage, and slightly more at the rear, was formerly an old pit mound and, until recently, had been covered in semi-mature trees. There was normally a presumption against any development within the Green Network unless there were exceptional circumstances or environmental or community benefits. However, in this particular case it was considered that the land barely fulfilled any of the original aims of the Green Network and, as all of the trees on the site had been felled, it was considered that the site contained no ecological, recreational, landscape, or aesthetic merit. Moreover, the applicants had agreed to provide environmental benefits by way of a comprehensive replacement landscaping scheme around the boundaries of the Green Network land.

As the application site boundaries had changed since the original submission of the application, a re-consultation exercise had been necessary, which expired on 27th April, 2011. As the site was in the Green Network approval would be a departure from policy and, therefore, the granting of delegated authority to the Head of Housing & Planning, subject to no new issues being raised, would allow that procedure to be followed.

RESOLVED – that with respect to planning application TWC/2011/0078 the Head of Housing & Planning be authorised to grant planning permission subject to no new issues being raised during the departure/re-consultation exercise.

The meeting ended at 7.50 p.m.

Chairman:

Date:

TELFORD & WREKIN COUNCIL

PLANS BOARD

1ST JUNE 2011

Schedule 1 - Planning applications for determination by Board

TWC/2010/0667 Land to side and rear of, 81 Freeston Avenue, St Georges, Telford, Shropshire, TF2 9EP Erection of a detached dwelling and 1no. detached dormer bungalow (outline application with all matters reserved) ***** Amended plans received*****	3
TWC/2010/0688 Land Adjacent to, 53 Maslan Crescent, Tibberton, Shropshire, TF10 8PB Erection of detached four bedroom dwelling ***** Amended plans recieved*****	8
TWC/2010/0715 349 Holyhead Road, Wellington, Telford, Shropshire, TF1 2EZ Erection of a two storey detached dwelling (Amended plans and information received).....	16
TWC/2010/0764 Rosebay, Lincoln Road Wrockwardine Wood, Telford, Shropshire. TF2 6LF Outline application to include access for the erection of 3no. terraced houses following demolition of existing bungalow	22
TWC/2010/0820 Land off Queens Drive, Newport, Shropshire, TF10 7EU Erection of pair of semi-detached dwellings with integral garages (amended information received).....	26
TWC/2011/0125 The Mount, 1 Haygate Road, Wellington, Telford, Shropshire, TF1 1QX Partial demolition of existing building, and Change of Use to form 11no. residential units with associated internal and external alterations and construction of 12no. new residential units, with associated access parking and landscaping (Amended description)	37
TWC/2011/0126 The Mount, 1 Haygate Road, Wellington, Telford, Shropshire, TF1 1QX Partial demolition of existing building, and Change of Use to form 11no. residential units with associated internal and external alterations and construction of 12no. new residential units, with associated access parking and landscaping (Amended description)	45
TWC/2011/0152 Netto Food Stores Ltd, Turreff Avenue, Donnington, Telford, Shropshire, TF2 8EA Variation of Condition 7 of planning permission W2009/0272 to allow the premises to open to the public between the hours 08:00 to 22:00 Monday to Saturdays and 10:00 to 16:00 on Sundays	46
TWC/2011/0164 The Fields, Donnington Wood, Shropshire, Change of use of land to form 26no. allotments with the erection of associated sheds, storage container and 2.4m high fencing and gates.....	49
TWC/2011/0182 Land off, Cedar Close, Overdale, Telford, Shropshire, TF3 5BN Erection of a 1m high fence along part of site frontage and erection of timber fence on retaining wall along part of site boundary	52
TWC/2011/0183 Land Adjacent To, 17 Charlton, Telford. TF6 5EU Demolition of existing redundant greenhouse and erection of two detached dwellings (Outline).....	54

TWC/2011/0192 Land adjoining, 1 Farm Grove, Newport, Shropshire, TF10 7PX	Erection of detached double garage and formation of access..	59
TWC/2011/0196 Land Off, St Matthews Road, Donnington, Telford. TF2 7RB	Outline application for residential development with all matters reserved for subsequent approval.....	66
TWC/2011/0201 Former Shropshire Lad, Malinslee Local Centre, Brunel Road, Dawley, Telford, Shropshire, TF3 2HZ	Erection of 3no. units for Use Class A1 (Retail) and A5 (hot food takeaways) with associated parking	73
TWC/2011/0212 27 Broomhurst Way, Muxton, Telford, Shropshire, TF2 8RG	Erection of a two storey rear extension including a single storey conservatory, a first floor front extension and alteration of ground floor front window to a bow window.....	80
TWC/2011/0230 Dawley Regeneration, Dawley, Telford, Shropshire,	Installation of a 15m high Telecommunications mast with ancillary development.....	83
TWC/2011/0243 The Wellington Arms, 3 Whitchurch Road, Wellington, Telford, Shropshire, TF1 3AG	Erection of a low rise wall to front of premises to form an alfresco area to front, installation of a Jumberella with integrated lighting and heaters and erection of a 1.1m high post and chain link fence to side of property	87
TWC/2011/0249 News Express, Land adjacent, 90 Trench Road, Trench, Telford, Shropshire,	Renewal of extant planning permission W2008/0132 for the erection of a two storey 3 bedroom dwelling with attached garage .	92
TWC/2011/0254 23 Queen Street, Wellington, Telford, TF1 1EH	Erection of two storey end terrace, for use as a 5-bed House in Multiple Occupancy	96
TWC/2011/0261 Land at, Arleston, Telford, Shropshire,	Outline planning permission for the erection of up to 125 dwellings(Use Class C3) and 50 extra care housing (use classes C2), provision of 2no. new access roads and associated open space and landscaping.....	100
TWC/2011/0302 Telford & Wrekin Register Office, The Beeches, 29 Vineyard Road, Wellington, Telford, Shropshire, TF1 1HB	Conversion of existing registry office (Use Class B1) to form 2no 2-bed dwelling houses (Use class C3).....	121

TWC/2010/0667 Land to side and rear of, 81 Freeston Avenue, St Georges, Telford, Shropshire, TF2 9EP
Erection of a detached dwelling and 1no. detached dormer bungalow (outline application with all matters reserved) *****Amended plans received*****

APPLICANT
Ms D K Khaira

RECEIVED
12/11/2010

PARISH
St. Georges and Priorslee

WARD
St. Georges

THIS APPLICATION IS TO BE DETERMINED BY MEMBERS OF PLANS BOARD BECAUSE THE APPLICANT IS THE DAUGHTER IN LAW TO CLLR JOHN MINOR.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES:

Principle of development, impact on character and appearance of area, impact on neighbouring properties and highways implications.

THE PROPOSAL:

This outline planning permission, with all matters reserved for later consideration, has been amended and is now sought for the erection of a detached dwelling fronting Freestone Avenue and 1no. detached dormer bungalow fronting Stafford Street on land adjacent 81 Freestone Avenue, St Georges with all matters reserved for consideration at a later date.

The determination of the application has been delayed due to various inaccuracies and errors on the application form which necessitated a re-consultation with the neighbours.

The original proposal was for four dwellings on the site. Officers considered this to be unacceptable over-development of the plot for which adequate off-street parking and suitable access could not be achieved. Hence amended drawings were submitted for two units and a further round of public consultation was carried out.

SITE AND SURROUNDINGS:

No.81 Freestone Avenue is an ex-local authority house located on the corner of Freestone Avenue and Stafford Street. There is a timber garage to the right (North West) on the property and a large rear garden beyond. The application site is the timber garage and the land behind. The land is unkempt and overgrown and is divided off from no.81 by 1.8m timber panel fencing. This fencing continues along the boundary adjacent the footway and Stafford Street. Stafford Street is a busy main road and there is a pedestrian refuge in the middle of the road opposite the site, which also acts to slow down the speed of the traffic on Stafford Street as a consequence.

The site is located in a predominantly residential area comprising mature semi-detached dwellings and modest terraced properties. On the other side of the road is a development of elderly persons bungalows and to the south of the site is 'Derrywood', a two storey detached dwelling with a detached single garage located on higher ground.

PLANNING HISTORY:

W2008/0403 outline permission for the erection of a single dwelling on land adjacent no.81 Freestone Avenue. Granted.

PLANNING POLICY CONTEXT:

The following policies are considered relevant:

Wrekin Local Plan 'saved policies'

H6 Windfall Sites in Telford and Newport

UD2 Design criteria

EH2 Drainage

EH7 Contaminated Land

EH14 Land Stability

Core Strategy Policy

CS1 Homes

CS5 District and Local Centres in Telford

CS15 Urban Design

CS12 Natural Environment

National guidance:

PPS1 Delivering Sustainable Development.

PPS3 Housing.

PPG14 Development on Unstable Land.

PPS 23 Planning and Pollution Control.

CONSULTATION RESPONSES:

St Georges and Priorslee Parish Council support the application

The Council's Drainage Engineer supports the application subject to conditions requiring details in respect of foul and surface water drainage and advises that the site should be considered a Greenfield site as far as surface water drainage is concerned.

The Council's Geotechnical Engineer supports the application and suggests informative I17 and I20 due to the former mining operations in the area. *****awaiting further comments*****

The Council's Contaminated land Officer supports the application subject to the imposition of the contaminated land condition.

The Fire Authority suggest informatives in respect of Access for Emergency Fire Service Vehicles and Sprinkler Systems - Residential Premises

A Site Notice and 16 direct neighbour letters publicised the application.

7 representations and a small petition containing 7 signatures objecting to the proposal have been received. The issues raised in the letters and the petition are:

- The application form fails to declare that the applicant worked for the Council and is related to a Councillor and the plans indicate that the house number is 80 whereas it is actually no.81, and failed to show that the applicant owned the adjoining dwelling no.81,
- Proximity of the development to the common boundary,
- The ground level is lower and require confirmation that a retaining wall will be built to ensure there will be no land slippage or damage to neighbour's house foundations,
- Entry/exit is very close to busy fast road, bollards and bus stop,
- Lots of school children cross the road adjacent the site,
- Existing parking problems and congestion,
- Loss of privacy,
- Does the Council intend to make any changes to current road system,
- A Section 106 agreement may be of assistance.

PLANNING CONSIDERATIONS:

The proposal has been amended from 4 dwellings (comprising a semi detached pair of two storey dwellings fronting Freestone Avenue and two detached properties with attached garages fronting Stafford Street) to 2 detached properties; Plot 1 fronting Freestone Avenue and Plot 2 (bungalow) fronting Stafford Street.

The site is designated as 'white land' on the Wrekin Local Plan (WLP) proposals map; subsequently the site can be considered for residential development in accordance with policy H6 of the WLP.

Policy H6 states that housing development will be permitted on land under 0.4 hectare that is within the Telford built up area when the site can be adequately accessed and parking provided; the site can be adequately drained; that the Council is satisfied that where there are land stability and contamination issues, the developer has taken adequate remedial action; the proposal does not have an adverse impact on the local environment especially in its relationship with adjacent land uses, and where the proposal shows a high quality of design. In addition, policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context.

Policy CS1 states that housing development will seek to provide every household in the Borough with an affordable, decent and appropriate home. With policy CS5 requiring all new residential development to be situated in highly accessible locations, creating vibrant, safe and attractive places, with designs which respect and respond to the locality.

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

National guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness. PPS1 and PPG3 also guide Lap's to avoid the inefficient use of land through promoting higher density development whilst being mindful of the wider context.

The demolition of the garage does not require planning permission; nevertheless the LPA has no objection to its removal.

This outline application has all matters reserved; however, the proposed indicative layout drawing indicates Plot 1 with a square footprint which respects the building line of the neighbouring dwellings in Freestone Avenue and plot 2 comprises a larger rectangular footprint located centrally on the site facing Stafford Street. Furthermore, due to the proximity of the site to the pedestrian refuge in the centre of this section of Stafford Street the access to Plot 2 has been indicated on the drawing in the position required by the Council's highway Engineer to overcome the highway safety concerns. The position of the agreed access will be conditioned and the imposition of further conditions will ensure that sufficient visibility splays and adequate parking is provided.

It is considered that two units could be accommodated on the site without adversely affecting the streetscene. Indeed it is considered that the appropriate development of the site would result in an improvement to the visual amenity of the area as the unmaintained state of the land and the 1.8m high timber panel fencing immediately adjacent the footway currently detracts from the character and appearance of the locality.

Adequate private amenity space and car parking could be provided for both the existing and proposed dwellings. Furthermore, the subsequent reserved matters application will deal with detailed design of the dwellings to ensure that they are appropriate in context, although a single storey or dormer bungalow on plot 2 is deemed most appropriate. This would ensure that there was no loss of privacy by way of overlooking of the private amenity space belonging to no.81 Freestone Avenue

Given the topography of the land and the separation distances of the existing dwellings, and the indicative layout of the proposed dwellings, it is considered that there would be no adverse impact upon the residential amenity of neighbouring property 'Derrywood'. Derrywood does have a ground floor window facing towards Plot 2 however, this windows looks towards the garage belonging to Derrywood and the 1.8m high timber panel fencing and gravel board boundary treatment beyond. The issue of the need for a retaining wall is noted however, this is an outline application considering the principle of residential development on the site. Actual details of the proposed development will be submitted with the reserved matters application and will also be covered under Building Regulations.

Historical maps show that the area was previously a reservoir between 1889 and 1938 and was back filled with unknown material. Therefore to satisfy the

requirements of both local policies EH7 and EH14 and national guidance contained within PPG14 and PPS23 in relation to contaminated land and land stability, it is deemed necessary to impose conditions to ensure the stability and suitability of the site for residential development.

All comments received from statutory and non statutory consultees are noted and are in support of the application and the suggested conditions and informatives will be imposed.

The principle of development on the site is considered acceptable and appropriate development of the site will result in a positive impact upon the character and appearance of the area and the streetscene. Whilst detailed design will be assessed at reserved matters stage, it is considered that the proposed development will not have an adverse impact upon the residential amenity of neighbouring properties. Furthermore, sufficient private amenity space, off street parking and suitable access can be provided for both the existing and proposed dwellings.

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

A01– Standard Outline

A03 – Submission of reserved matters

B01 – General details required

BO3 – RM details to be included

B05 – Details of materials

B23 – on –site construction

B24 – Mud on road

B25 – Shallow mineworking

B30 – Land Contamination

B33 – Foul and Surface drainage details

C14 – Landscape implementation

Engineers *****

I34 – Reasons for grant of outline planning permission

I30. - Conditions

I17 – Minerals area

I34 – plot 2 single storey dwelling only

Icustom – comment on access position

REASON FOR APPROVAL:

The principle of development on the site is considered appropriate and there will be no adverse impact upon residential amenity and the appropriate development of the site will result in a positive impact upon the character and appearance of the area and the streetscene. Furthermore, sufficient private amenity space, off street parking and suitable access can be provided for both the existing and proposed dwellings.

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

THIS APPLICATION WAS DEFERRED ON 13th APRIL 2011 TO ALLOW MEMBERS TO CARRY OUT A SITE VISIT.

A Copy of the Inspector's decision is attached for information as it is a material planning consideration in determining this application.

An additional sixteen representations have been received, including emails and individual letters, duplicate letters signed by different residents, three letters from one neighbour and two from another. The issues raised are:

- The proposed dwelling is not in keeping with any other property on the crescent. The current properties are semis and bungalows.
- The house should be a small affordable type or a bungalow,
- Tibberton has recently lost its local shop and other amenities are under threat and there is little need to build additional properties in the area.
- The developer having only paid £25K, for this plot wishes to make as much money as possible not having to consider the ramifications of what he is proposing.
- Affected neighbours have not been approached by the developer.

Accordingly, there is no change to the recommendation to grant planning permission subject to 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.

.....

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

THIS APPLICATION WAS DEFERRED AT 13TH APRIL 2011 PLANS BOARD TO ENABLE MEMBERS TO UNDERTAKE A SITE VISIT.

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/2010/0764 Rosebay, Lincoln Road Wrockwardine Wood, Telford, Shropshire.
TF2 6LF
Outline application to include access for the erection of 3no. terraced houses
following demolition of existing bungalow

APPLICANT
Brar and Koner

RECEIVED
08/12/2010

PARISH
Wrockwardine Wood and Trench

WARD
St. Georges

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Density of development, traffic, access, parking

THE PROPOSAL:

This Outline planning application relates to the erection of three terraced house, following the demolition of an existing bungalow, at Rosebay, Lincoln Road, Wrockwardine Wood. Approval is being sought for the access into the site but all the other matters – layout, scale, appearance and landscaping – are reserved for subsequent approval at the reserved matters stage.

The applicant has stated that the existing bungalow, which has been vacant for some considerable time, is structurally unsound and it is proving to be uneconomic to renovate the property.

A notional layout has been submitted with the application to demonstrate how 3 two or three bedroom terraced houses could be accommodated within the site. There would be one central shared access into the site from Lincoln Road, and the existing front boundary walls would be lowered to 900mm high to improve the visibility for drivers when exiting the site.

The layout shows two allocated parking spaces per dwelling, with the end properties having a single integrated garage and one space on the front shared courtyard, and the middle dwelling having two courtyard parking spaces.

The existing high rear boundary wall along New Road would be retained, with a pedestrian gate formed to serve the middle property.

SITE AND SURROUNDINGS:

The site lies in a predominantly residential area bounded by Lincoln Road and New Road in Wrockwardine Wood, and the site is surrounded by existing residential development. There is a Victorian terrace on the opposite side of Lincoln Road and modern detached houses on the southern side of the site. On New Road, to the rear of the site, there are a variety of house types of various ages. The two adjoining houses on the northern side of the application site face onto New Road but have their rear gardens facing onto Lincoln Road. In short, the existing development in this area is a real mixture of house types, ages, and layouts.

PLANNING HISTORY:

TWC/2010/0142 – Erection of 3no. two storey dwellings following demolition of existing bungalow – withdrawn

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS 1 – Delivering Sustainable Development
PPS3 – Housing

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

LDF Core Strategy
Policy CS5 – District and Local Centres in Telford
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

4 letters have been received from local residents who have expressed the following concerns:

- The proposals represent overdevelopment of the site
- The development would be out of character with the surrounding area
- Two storey dwellings would produce problems of loss of light and loss of privacy to existing properties
- Additional traffic on a narrow road
- Congestion during construction works
- Loss of habitat for wildlife
- Large fir tree needs to be removed
- Extra pressures on statutory services

The Parish Council has objected to the application for the following reasons:

- Overdevelopment of a small site
- Congestion on a narrow road
- Residents of the proposed properties would park on the road causing further congestion and nuisance to neighbours

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

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

The Council's Highways Engineer has no objections subject to a condition relating to the provision of car parking.

The Council's Ecologist has no objections. A wildlife survey has been carried out and no evidence was found of either bats or birds. No conditions are required but several wildlife informatives are recommended.

PLANNING CONSIDERATIONS:

The site is shown as 'white land' on the Wrekin local Plan where residential development is acceptable in principle. The site lies within a predominantly residential area in the built-up area of Wrockwardine Wood.

There are a number of short terraces of Victorian houses in the surrounding area, including opposite the site, and it is proposed to adopt a comparable pattern of development on this particular site.

The notional layout shows a terrace of three dwellings that would reinforce the existing street pattern by reflecting and responding to the scale and form of the Victorian terraces houses on the opposite side of Lincoln Road. The suggested frontage widths of the proposed dwellings would be comparable with the aforementioned properties and would respect the established character and appearance of the existing street frontage.

It is considered that the development of three dwellings on this site would also reflect the prevailing density of the existing development in this part of Wrockwardine Wood.

The applicant feels that it would be possible for all the habitable rooms of the proposed dwellings to face either Lincoln Road or New Road and therefore avoid any overlooking of adjoining houses or garden areas.

Each dwelling would have two parking spaces, which should be sufficient for these two or three bedroom houses. There is adequate room to allow all vehicles to turn around and exit the site in a forward gear.

Lincoln Road is effectively a minor 'no-through road' where the amount of traffic is relatively small. It is considered that the net increase of two dwellings will not increase the volume of traffic in this road to any significant extent, or have a detrimental impact on highway safety.

In short, it is considered that the removal of a bungalow and its replacement with a terrace of three dwellings offers an opportunity to enhance the character and appearance of this part of Wrockwardine Wood. The proposed development would reflect the existing density, street pattern, and form of development in the vicinity of the site without adversely affecting the residential amenities of adjacent dwellings.

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

1. A01 Time limit Outline
2. A03 Time limit Submission of reserved matters
3. B01 Standard outline some matters reserved
4. B03 General details required
5. B23 On-site construction
6. B24 Mud on road
7. B26 Shallow mineworkings
8. B30 Land contamination

9. B33 Foul and surface water
10. B35 Soakaway tests
11. C19 Car parking
12. D01 Removal of permitted development rights

REASON FOR APPROVAL:

The site is shown as 'white land' on the Wrekin local Plan where residential development is acceptable in principle. The site lies within a predominantly residential area in the built-up area of Wrockwardine Wood.

The removal of a bungalow and its replacement with a terrace of three dwellings offers an opportunity to enhance the character and appearance of this part of Wrockwardine Wood. The proposed development would reflect the existing density, street pattern, and form of development in the vicinity of the site without adversely affecting the residential amenities of adjacent dwellings.

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

THIS APPLICATION WAS DEFERRED ON 13th APRIL 2011 TO ENABLE MEMBERS TO CARRY OUT A SITE VISIT AND TO ENABLE AN INVESTIGATION OF THE POSSIBLE GREAT CRESTED NEWTS WHICH WERE SEEN IN THE NEIGHBOURING GARDEN AND TO DICUSS THE MATTER RELATING TO THE IMPACT OF THE PROPOSED DEVELOPMENT ON THE ADJACENT LISTED BUILDINGS.

MAIN ISSUES:

Previous Inspector's decision granting planning permission for two new dwellings on the site. Whether the site would be over-developed, the impact on residential amenity and the adjacent listed buildings, whether there would be adequate provision for the drainage of surface water and the effect on the safety and free flow of traffic. The possibility of Great Crested Newts (GCN) on the site.

PLANNING CONSIDERATIONS:

This application is very similar to the planning application previously approved by the Planning Inspector. The Inspector's decision to grant planning permission is a material consideration when assessing this application and a copy is attached for information.

The differences in the design of this proposal compared to the previously approved scheme are minor and include:

- The introduction of a rendered finish to the projecting front gable of plot 1 and a small rendered section on the ground floor rear elevation of plot 2, rather than all facing brick,
- Minor changes to the width and style of the windows and doors,
- The introduction of arched brick header details to the doors and the windows,
- The introduction of porches and exposed rafter feet roof detailing.

Notwithstanding the changes in the detailing of the proposed dwellings, the principle of two dwellings on the site has already been established, and the design changes are deemed an improvement to the previously approved proposal.

Since the previous Plans Board two further representations have been received. The representations advise that:

- A number of workmen and a JCB digger turned up on the development site to clean up some of the hedging and remove ground weeds.
- The land clearance exercise is a somewhat cynical attempt to ensure that any possible evidence of crested newts on the development site is obliterated before anything is found.
- The digger has likely damaged the roots of the ash tree fronting the site
- some brickwork of an old wall at the front of the site has been knocked over This is undoubtedly a pre-1948 man made structure that was/is within the curtilage of a listed property, and as such the structure would be protected.

Officer comments on additional consultation responses

Great Crested Newts (GCN) are protected under The Wildlife and Countryside Act 1981 (as amended). They are also included in Schedule 2 the Conservation (Natural Habitats & c.) Regulations 2010.

Wild birds, their nests and young are also protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). The contractors are aware of this legislation and as such inspected and photographed the hedge during the trimming to check that there were no nesting birds which could have been disturbed or harmed. The Council's Ecologist confirmed that it was unlikely that any GCN would be harmed as a result of the hedge trimming.

The developer has always been conscious of the neighbouring public, as they have previously expressed concerns regarding the proposed development. With this in mind the developer has met with neighbours directly affected by the landscaping works, namely the residents residing at no.1 Queens Drive. In addition they spoke with the residence of no.2 Pen-y-Bryn way to allay any concerns that they had.

The works in question were to address the overgrown hedge growth and the removal of the soil/rubbish spoil mound from the front of the said site. The works were undertaken with the full knowledge and support of the neighbours in question and during the works the developer was able to facilitate moving several shrubs etc into the adjoining gardens at the request of the occupiers.

Impact on adjacent Listed Buildings

The Council's Conservation Officer has confirmed that she has no objections to the proposal. She advises that, although proposed on part of the former curtilage of the listed dwellings at 4 & 6 Station Road the development is sufficiently well distanced as not to intrude detrimentally. The design of the proposed dwellings is inherently modern, but this is no different from and in some cases preferable to some of the other modern housing also in the area. Furthermore, in this instance, some attempt has been made in the design and detailing of the proposed dwellings to include more traditional features, such as the sash effect windows which are more appropriate in appearance than much of the other fenestration in the local area. Moreover, the unearthed remnants of a brick structure on the site (highlighted by the owner of no.4 Station Road) may have at some time belonged to or been in the grounds of

the adjacent listed buildings however, their presence does not justify the refusal of this application or adversely impact upon no.4. Therefore, the proposal is deemed compliant with policy CS14 of the LDF Core Strategy and national guidance contained within PPS5.

The impact of the development on Great Crested Newts.

At Plans Board on 27.04.11 a resident reported sighting two newts in terrestrial habitat (under a rock) in an adjacent garden (4 Station Road) during early spring 2010. The species of newt was unconfirmed but the resident believed them to be Great Crested Newts. Thus a Survey was deemed necessary to ensure that the proposed development did not adversely impact upon this protected species. A survey was duly undertaken on 22.04.11 under the appropriate Licence by an independent qualified Ecologist with almost 20 years experience in such matters.

The report in respect of the survey advises that the only known existing pond (potential newt breeding habitat) within 100m of the application site is a garden pond at 1 Queen's Drive. A torch survey was undertaken of this pond. An egg search was not possible due to a lack of any suitable aquatic vegetation on which to search for eggs, and bottle trapping was not possible due to the presence of a pond liner. Nevertheless, a Habitat Suitability Index (HSI) was calculated for the pond. The HSI score was 0.3 which indicates that the pond has poor potential to support breeding GCN, primarily due to the small size and presence of fish.

A thorough terrestrial search was also undertaken on the application site and the adjacent garden where the reported sighting had occurred. Natural refugia such as rocks and logs were lifted and searched under. The location of the reported newt sighting comprises a planted area of garden with many rocks. The resident advised that a water feature had been removed from this area in 2009.

The Results of survey concludes that:

- No great crested newts were observed either in the pond or terrestrially.
- No amphibians were observed within the pond but three frogs were present in an adjacent tiny pocket of water associated with the pond filtration system.
- No amphibians were observed within the application site.
- 21 smooth newts were observed in the garden of 4 Station Road under rocks close to the location of a former water feature.

Given the results of survey and HSI score for the pond, it is considered that great crested newt is reasonably unlikely to be currently present in the vicinity of the application site. However, if a great crested newt is observed at any time during the development, works should cease and Natural England contacted for further advice. An informative will be added to advise this.

The Local Authority Environmental Planning Assistant has confirmed that the level of survey undertaken is sufficient for the purposes of establishing the likely presence or absence of GCN with respect to this planning application, and suggests that an informative is added to the decision notice advising the developer of his responsibilities. Accordingly, the proposal is compliant with policy CS12 of the Core Strategy and national guidance contained within PPG9.

Other Matters.

Furthermore, whilst clearing the site may be considered premature given that the application has not yet been determined, this does not require planning permission and the LPA could not stop the work under the Wildlife and Countryside Act 1981 (as amended). Furthermore, several neighbours have asked for plants and shrubs from the site which the applicant's contractors have replanted in the neighbours gardens for them.

During the ground clearing works it was brought to the developer's attention that one of the established trees along the frontage was a self setter and by its very nature had a substantial area of the root structure at ground level making the tree very unstable. The root plate was exposed when the pile of spoil, which was left on the site from some site clearance works undertaken three years ago, was removed. The developer has not undertaken any works to endanger the existence of the tree in question; in fact he hoped that this tree would give a very welcoming and established frontage to the proposed development. Therefore, in the interests of being a considerate developer, and although the land and the tree are not owned by anyone, he made the Town Council aware of the matter and offered to remove the tree at his own trouble and expense. Furthermore, as a gesture of goodwill and by no means as an admission that he has done anything untoward, he has offered to plant a replacement tree at a cost of approximately £500 to himself. The developer has provided amended drawings showing that the tree has now been removed and will be replaced. The imposition of a condition will ensure that this replacement tree is planted. It should be noted that the developer could have chosen to ignore the unsafe state of the tree and simply covered the roots back over.

The tree was not protected by means of a TPO and the site is not within Conservation Area and not owned by anyone, hence permission was not required for its removal and there was no legislation on which the Council could take enforcement action.

Council's Arborist confirmed that the tree was in a dangerous state and should be removed. Hence the tree has now been felled by the developer and the neighbours have taken the wood.

Therefore, the proposal is compliant with policy CS12 of the Core Strategy national guidance contained within PPG9.

Accordingly, there is no change to the recommendation to grant planning permission subject to conditions and an additional informative advising about Great Crested Newts.

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)Ccustom replacement tree.
- 16)DCustom no gates.
- 17)I25c bird boxes.
- 18)I25eTrenches.
- 19)I25g Enhancement planting.
- 20)I25j invertebrate boxes.
- 21)I25m nesting birds (vegetation).
- 22)ICustom Great Crested Newts.
- 23)I32 Fire Authority.
- 24)I40 conditions.
- 25)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, the setting of the nearby Listed Buildings or any protected species. Furthermore, the site is in a highly sustainable location and sufficient private amenity space and off street parking is provided.

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 bedrooed 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 the 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 informatives 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/2011/0125 The Mount, 1 Haygate Road, Wellington, Telford, Shropshire, TF1 1QX

Partial demolition of existing building, and Change of Use to form 11no. residential units with associated internal and external alterations and construction of 12no. new residential units, with associated access parking and landscaping (Amended description)

APPLICANT

Estates and Investment, Alan Fox

RECEIVED

01/03/2011

PARISH

Wellington

WARD

Ercall

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and Design, Character and Appearance, Impact on Listed Building, Impact on Neighbouring Amenity

THE PROPOSAL:

The application seeks planning permission and associated listed building consent (TWC/2011/0126) for the partial demolition of the existing building and Change of Use to form 11no. residential units, with associated internal and external alterations and construction of 12no. new residential units, with associated access parking and landscaping.

The Council as Applicant is seeking to release this site for residential development to enable wider improvements to the Civic Centre within Wellington District Centre, providing better community facilities (planning permission granted, ref: W2009/0505 and W2009/0515). The Council is seeking to release the necessary funds through the rationalisation and disposal of some of its land assets, such as the site, subject of this application.

SITE AND SURROUNDINGS:

The application site comprises the Grade II Listed Mount which is located in a prominent position on the corner of Haygate Road and Wrekin Road in a highly sustainable location within Wellington District Centre. It is an early 19th Century 3 storey property constructed in red brick with hipped slate roof. It has been extended and altered with a substantial 3 storey extension and more recent 2 storey flat roofed extensions to the side and rear and single storey elements. The Mount is currently used by Telford & Wrekin Council for its Children and Families Services.

The building is set back in a central position within the site with a large area of open space and tree planting to the front and substantial car parking area in an elevated position to the rear. The site is bounded by a substantial feature red brick wall including recessed brick bus shelter, and mixed trees/ shrubs to the north (front) of the site. The boundary treatment to the east comprises a dwarf wall and metal railings, with a grass verge area between the site and Wrekin Road, as well as hedge planting. The site is relatively open to the north and northeast and the Listed Building along with its modern 2-storey

side extension is a prominent feature in the streetscene. To the south and west of the site, adjacent to residential properties/ gardens is approximately 2 metre high chain link fencing and planting, with timber garden fencing beyond.

Given the site's location within the District Centre, the area comprises a mix of uses, with residential and commercial development adjacent to the application site. Residential development is located to the south (established semi-detached properties) and west (detached bungalows) and further along Haygate Road, including Haygate Court flats. Commercial development in the area comprises single storey building to the west (Care & Mobility Ltd), Tesco Express and carpet warehouse to the north, located directly opposite on Haygate Road, and restaurant and car sales on Wrekin Road to the east.

PLANNING HISTORY:

W99/0460 Removal of 2 Chimneys and Slate Roof, Withdrawn

Planning consent has been granted for 2 similar proposals to aid the Wellington Civic Centre development:

TWC/2010/0089 Highfield House – Conversion of existing building to 4 dwellings and erection of 9 dwellings in the grounds of the building

TWC/2010/0458 62 Wrekin Road - Conversion of existing day care centre to 8no. dwellings and erection of 4 dwellings with associated parking, new site access and associated landscape and engineering works

Pre-application discussions regarding the proposed development.

PLANNING POLICY CONTEXT:

National Planning Policy:

PPS1 Delivering Sustainable Development

PPS3 Planning and Housing

PPS5 Planning and Historic Environment

PPG13 Transport

Core Strategy:

CS1 Homes

CS5 District and Local Centres

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

S11 Wellington Secondary Zone

HE16 Alterations and Additions to Listed Buildings

CONSULTATION RESPONSES:

Wellington Town Council: no objection

Built Heritage Conservation: The premises are listed but have suffered somewhat from inappropriate alteration and extension in the past, it is

proposed to largely remove these inappropriate extensions and replace with moderately better extensions with more appropriate detailing. The overall appearance to the main listed property will be on balance an improvement and will result in a significant reduction of the footprint, reducing it much more to the core of the original building. To ensure that the detailing is appropriate, conditions are required re: door and window details, heads and cills, rain water goods, external services and bricks. The proposed new build types are typically bland, though some effort has been made to keep the buildings closest to The Mount itself, more in keeping. However, further details on windows are requested. The layout affords a reasonable space to the listed building even given the two properties located nearby. The applicant has reduced the number of units from pre-application discussions, which makes for a much better site layout.

Drainage: No objection subject to Condition regarding foul and surface water drainage and Brownfield runoff rates

Highways: No objection to the principle of development, however there appears to be some inconsistencies in the allocation of parking spaces to the 2-bed units within the site. It appears all 2-bed units (including flats) apart from those fronting Wrekin Road have 2 allocated spaces each, so this principle should be applied to the Wrekin Road units also. The site has been designed as a shared space development and would not want to encourage any on street parking within it. On the satisfactory mitigation of this matter, conditions should be imposed – Pre-commencement conditions regarding means of controlling vehicle access/egress from the “Reinforced grass” car park to Wrekin Road, and details of works to the retaining wall to the east of the proposed access which are required to provide the required visibility splays. Also recommends conditions regarding Access prior to other operations and Parking, loading and turning, and standard highways informative.

Education: No comment

Parks & Open Spaces: Have been involved in the discussions with Asset & Property and concluded that reduced contributions for this application should be accepted as it was on the nearby Wrekin Road application. In order to comply with Wrekin Local Plan Policies LR4 and LR6, for 2 or more bedroom properties, a contribution of £375 per dwelling should be provided prior to commencement of development. In addition confirmation is required as to how and who is to manage the open space/trees proposed in this application.

Strategic Housing: Awaiting comments. If any comments are submitted, these shall be provided in an update to Members.

Arboricultural: Has made a Tree Preservation Order to protect the Yew tree and Oak tree within the application site. No objection to the application, but would request conditions regarding Landscaping design, Landscape management plan, Landscape maintenance, Protective fencing, Services root protection, No dig method, No burning, Soil levels, Storage of materials and

Design specification for the reinforced grass that is proposed to be laid within the Root Protection Area of the Yew tree. In addition, if it is not feasible to keep the Oak tree in its current location due to the proposed road layout, it could easily be transplanted using a tree spade, from its current location and relocated to the front of the Mount as suggested within the tree survey. The proposed tree planting and landscaping to the rear of the Mount and to the side of No.10 Wrekin Road should consist of trees that reach a low mature height as these will be growing on the south of the development and could create future sun and shading issues for the residents.

Ecology: No objection subject to informatives regarding Bats and Birds, Trenches, Enhancement planting, Bat, bird and invertebrate boxes

Sustainability: A statement is required by the developer to explain how they believe they have developed a valid and sustainable design solution. Minimum proposed standards of Code Level 3, rising to 4 in 2013, should be financially viable, particularly as much of the associated additional cost (typically 70 - 90%) will have to be met regardless as a result of the Building Regulation changes. These requirements are in accordance with PPS1, Planning and Climate Change – Supplement to PPS1, PPS9 and PPS22.

Shropshire Fire Service: Support subject to Informative re: Access, Water Supplies and Sprinkler Systems

Shropshire Council: no comments

5 neighbour letters have been received with the following comments:

- Development will increase footfall to Wellington and combined with regeneration projects, will create more prosperous town
- Other sites that are derelict in Wellington more suitable for development
- More appropriate development would be to convert the building and retain rear car park
- Increase in traffic exacerbating existing problems on Haygate Road, with access opposite Tesco Express
- Impact of construction works on elderly residents of St James Court
- Overlooking and loss of privacy – mitigate by obscure glazed fixed light windows on new properties
- Loss of natural light and existing car park lighting which currently benefits St James Court – replacement lighting within street?
- Loss of view
- Character and appearance – new dwellings adjacent to Wrekin Road properties will not ‘mirror’ existing development
- Noise pollution
- Dust
- Devalue property
- Impact on wildlife and nesting birds
- Will existing fence adjacent to St James Court remain? If not, require details of replacement boundary treatment

- Council has rejected residents' application to purchase strip of land to increase garden area and this current proposal will make this less likely.

PLANNING CONSIDERATIONS:

The principle of residential development has been accepted in pre-application discussions and the site is in a highly sustainable location close to Wellington District Centre. The development will help to provide community benefits in the area, through the funds from the release of the site enabling the redevelopment of the Civic Centre in Wellington. The proposal will also ensure the retention of the Listed Building and removal of inappropriate modern additions.

The proposal comprises full planning permission for the conversion of the existing 3- storey Listed Building to create 11 units. These units would be a combination of 2 x 1 bed flats, 7 x 2 bed flats and 2 attached 3 storey houses – 1 x 3 bed and 1 x 4 bed units. The building can be converted from the existing office use to create the 11 residential units without significant alteration to the form and fabric of the Listed Building. In addition the proposal seeks to demolish the modern 2 storey flat-roofed extension to the side and some of the modern additions to the front and rear of the building. The alterations to the building and removal of modern extensions in association with the conversion are deemed appropriate, and will enhance the character and appearance of the Listed Building.

The new development within the curtilage of the Listed Building will comprise 12 semi-detached dwellings. There would be a pair of 2-bedroomed semi-detached properties located at the side of the Listed Building, replacing the 2 storey flat roofed modern extension. A further 6 units would be located to the rear of the building comprising 3 pairs of 3-storey, 3-bedroomed dwellings, ('bedroom 3' within loft space with rooflights), and 2 pairs of 2-bedroomed semi-detached dwellings fronting Wrekin Road, in line with the established properties. The application site is located in a mixed residential area therefore the layout, scale and design of the new properties is considered to be acceptable and materials can be conditioned to ensure the development is in keeping with the existing Listed Building and the setting of the area. Whilst the new properties will not match the adjacent properties exactly, they are of a form and design which relates to the character and appearance of the area and are therefore considered acceptable.

All vehicular traffic will utilise the repositioned and improved access on to Haygate Road with new access road repositioned to the west of the site. The existing exit point on to Wrekin Road located at the southern end of the new car park will be retained as an emergency access/egress only. A new pedestrian link from the development on to Wrekin Road is also proposed between Plot 10 and the adjoining Care & Mobility unit. There will not be a significant increase in traffic on Haygate Road given the existing use of the building by the Council's Children and Families Services and the substantial car parking area to the rear. Furthermore, improvements to the access will

enable improved visibility on to the highway creating a safer access/egress point.

A car parking area comprising a total of 18 parking spaces will be provided at the front of the site predominantly for the apartments. The new dwellings will have allocated parking adjacent to the properties or located in a smaller parking court. The Highways' comments regarding parking provision are noted; however the Applicant has limited the parking provision in line with pre-application discussions with your officers, given the site's highly sustainable location within the District Centre, and concerns that the rear of the site would be dominated by car parking to the detriment of the character and appearance of the residential development. Therefore, this level of parking is considered appropriate, and it is not necessary to request further car parking.

Communal amenity space/trees will be maintained and enhanced at the front of the site. Private amenity space will be provided for each of the dwellings, with further landscaping adjacent to parking spaces to enhance the area. Details of boundary treatments and landscaping scheme shall be conditioned; however, officers consider a more permanent boundary treatment than the existing chain-link fencing may be appropriate to provide mutual privacy to both existing and new residents.

This scheme constitutes a development which relates well to existing housing without having a significant detrimental impact on adjoining amenity, by locating development in line with the existing Listed Building and existing properties on Wrekin Road, and providing a sufficient separation distance (10 metres) between the 3 storey properties and St James Court to ensure there is not a problem of overlooking or loss of privacy. The position and orientation of the properties in the new development is such that there will not be a significant impact on light to existing properties. It is suggested that a condition to remove householder permitted development rights will ensure that residential amenity and sufficient amenity space are preserved in addition to ensuring all future development respects the setting of the Listed Building. Furthermore a condition regarding obscure glazing to windows on the side elevations of the new properties is proposed to ensure there is no overlooking/ loss of privacy of existing and new dwellings. Conditions can be imposed to control hours of construction and dust to minimise the impact of the development on adjoining residents.

Parks & Open Spaces referred to 24 units with 2 beds or more; however the scheme actually comprises 21 units, therefore the contribution towards upgraded recreation facilities would equate to £7875.

In regard to Sustainability comments, the Code for Sustainable Homes requirements can be added as an informative and will also be addressed at Building Regulations stage.

The neighbour concerns are noted; however other sites in Wellington may not be within Telford & Wrekin Council's ownership or at its disposal. The development is principally to convert the building; however this would not be

financially viable or utilise the site area sufficiently. There should be a positive impact on wildlife and nesting birds as the proposal includes the retention of existing trees and shrubs and additional planting on site. A loss of view and adverse impact on property values are not material planning considerations. Officers do not know the context and cannot comment on another Council Department's decision to reject an application to purchase land adjacent to the site. The application does not propose new street lighting to St James Court.

In conclusion, the principle of residential development is considered acceptable and will enable community facilities to be provided in Wellington District Centre. The site is in a sustainable location, close to services and facilities in Wellington District Centre. The layout of the site and the scale and design of the 12 new dwellings and conversion of the building to 11 units with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The removal of the modern extensions will preserve and enhance the character and appearance of the Listed Building. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety. Accordingly the proposal complies with national and local planning policy.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to written confirmation from Property and Design to provide a financial contribution of £7875 towards upgrading of community use recreation facilities and the following conditions:

1. A03 Time limit
2. B06 Samples of external materials
3. B07 Sample brick panel
4. B12 Details of doors and windows at 1:5
5. B14 Landscaping design
6. B17 Landscape management plan
7. B18 Landscape maintenance
8. B23 On-site construction
9. B24 Mud on road
10. B33 Foul and surface water drainage
11. B49 Details of exterior services
12. B52 Details of heads and cills
13. B53 Brick bond and type
14. B58 Brick work re-pointing
15. B73 Protective fencing to existing trees and hedgerows
16. B74 Trees services root protection
17. B75 Trees no dig method
18. Bcustom Design specification of reinforced grass to be laid within RPA of Yew
19. Bcustom Brownfield runoff rate
20. Bcustom Means of controlling access/egress on to Wrekin Road
21. Bcustom Details of works to retaining wall to provide required visibility splays
22. C07 Trees – no burning

23. C08 Trees soil levels
24. C09 Trees materials storage
25. C18 Access prior to other operations
26. C20 Parking, loading and turning
27. C38 Development in accordance with plans
28. C46 Retain and protect architectural features
29. C47 Making good
30. D01 Removal of permitted development rights
31. D08 Windows obscure glazing to side elevations of all house types A, B and C
32. D11 Hours of construction Mon – Fri 8am – 6pm, Sat 9am – 1pm, No working on Sun or Bank Hol

REASON FOR APPROVAL:

The principle of residential development is considered acceptable and will enable community facilities to be provided in Wellington District Centre. The site is in a sustainable location, close to services and facilities in Wellington District Centre. The layout of the site and the scale and design of the 12 new dwellings and conversion of the building to 11 units with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The removal of the modern extensions will preserve and enhance the character and appearance of the Listed Building. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety.

TWC/2011/0126 The Mount, 1 Haygate Road, Wellington, Telford, Shropshire, TF1 1QX

Partial demolition of existing building, and Change of Use to form 11no. residential units with associated internal and external alterations and construction of 12no. new residential units, with associated access parking and landscaping (Amended description)

APPLICANT

Estates and Investment, Alan Fox

RECEIVED

01/03/2011

PARISH

Wellington

WARD

Ercall

THIS APPLICATION IS TO BE READ IN CONJUNCTION WITH
TWC/2011/0125

RECOMMENDATION: to GRANT LISTED BUILDING CONSENT subject to the following conditions:

1. A05 Time limit
2. B08 samples of external materials
3. B12 details of doors and windows at 1:5
4. B49 details of exterior services
5. B52 Details of heads and cills
6. B53 Brick bond and type
7. B58 brick work re-pointing
8. C38 Development in accordance with approved plans
9. C46 retain and protect architectural features
10. C47 Making good

REASON FOR APPROVAL:

The layout of the site and the scale and design of the 12 new dwellings and conversion of the Listed Building to 11 units with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The removal of the modern extensions will preserve and enhance the character and appearance of the Listed Building.

TWC/2011/0152 Netto Food Stores Ltd, Turreff Avenue, Donnington, Telford, Shropshire, TF2 8EA
Variation of Condition 7 of planning permission W2009/0272 to allow the premises to open to the public between the hours 08:00 to 22:00 Monday to Saturdays and 10:00 to 16:00 on Sundays

APPLICANT

Wm Morrison Supermarket PLC

RECEIVED

21/02/2011

PARISH

Lilleshall, Donnington and Muxton

WARD

Donnington

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Increase in noise and disturbance.

THE PROPOSAL:

This application relates to a variation of a condition attached to a planning permission that would extend the opening hours at the Morrisons retail store at Wrekin Drive, Donnington. The store was previously built for Netto.

Condition 7 of the planning permission for the retail unit (W2009/0272) stated that:

"The retail store shall only open to the public between the following hours:

- (a) 8.30am to 8.00pm Monday to Saturday*
- (b) 10.00am to 4.00pm Sundays*

Reason: To safeguard and protect the residential amenities of the surrounding area".

The applicants want to amend the condition so that it reads:

"The retail store shall be open to the public between the following hours:

- (a) 8.00am to 10.00pm Monday to Saturday
- (b) 10.00am to 4.00pm Sundays"

SITE AND SURROUNDINGS:

The application site comprises the Morrisons foodstore (previously Netto) at the junction of Wrekin Drive and Turreff Avenue within Donnington District Centre. The site is bounded by Wrekin Drive to the south west, Turreff Avenue to the south east, Hawthorn Road to the north west, and Donnington library to the north east. The store is situated on the northern edge of the site, with the car park and service yard off Turreff Avenue. The entrance to the store is situated on the south eastern corner of the building.

PLANNING HISTORY:

W2009/0272 – Erection of a retail unit with car parking and servicing - approved

PLANNING POLICY CONTEXT:

LDF Core Strategy

Policy CS5 – District and Local Centres in Telford

PPS4 – Planning for Sustainable Economic Growth

CONSULTATION RESPONSES:

One letter of objection has been received from a local resident which can be summarised as follows:

- The opening hours should stay as they are
- 12 hours of trading should be enough
- The signs are obtrusive and should be removed
- The noise from trolleys can be heard all day long
- The advertising at the entrance to the store should be toned down

The Parish Council has objected to the application for the following reasons:

- Increased disturbance to residents living in close proximity of the store.
- Increased light pollution from signs which will also have a detrimental impact on the neighbours quality of life.
- Increased noise pollution which will have a detrimental impact on the neighbours' quality of life.
- Concerns that delivery lorries will be accessing the store at a later time thus further inconveniencing the neighbours.
- Fear of crime in that it will become an attraction for youths to congregate.

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

PLANNING CONSIDERATIONS:

The proposal seeks to open the store for an additional half an hour in the morning and an extra two hours in the evening, Monday to Saturday. The Sunday opening hours would remain unchanged.

The applicants have made the following comments in support of their application:

1. *“Customer numbers during the extended hours will inevitably be lower than during the peak periods, therefore the potential for noise disturbance would be reduced during the extended opening hours.*
2. *With fewer customers during the off-peak hours there will be greater opportunities to park closer to the store entrance. As this is located away from the site boundaries this will help to minimise potential noise disturbance.*
3. *PPS4 states that the Government seeks to secure competition between retailers and provide enhanced consumer choice. The existing Co-op foodstore at the northern end of the District Centre is permitted to trade between 7.00am and 10.00pm, which gives it a significant trading advantage over the Morrisons store. An extension of hours would be consistent with the advice set out in PPS4 and would increase the competitiveness of the Morrisons store, thus enhancing consumer choice for the residents of Donnington”.*

In the determination of this application it is acknowledged that the Co-op store within the District Centre opens until 10.00pm during weekdays, and there are two hot food takeaway outlets in the Centre which are permitted to trade after 10.00pm each evening. Furthermore, the Council has not received any complaints about the operation of the Morrisons store since it opened (as a Netto) in early 2010.

Therefore, on balance, it is considered that the proposed extension to the hours of opening by half an hour in the morning and two hours in the evening would be acceptable in this locality where other premises are open until the same times. It would not have an appreciable or noticeable impact on the residential amenities presently enjoyed by the residents living in the vicinity of the store.

The planning permission for the retail store stated that deliveries can only be made between 7.00am and 8.30pm and these hours will remain unchanged.

Issues relating to signage are being dealt with in a separate advertisement application.

RECOMMENDATION: to GRANT PLANNING PERMISSION to vary the hours of opening as follows:

1. The retail store shall only be open to the public between the following hours:
 - (a) 8.00am to 10.00pm Monday to Saturday
 - (b) 10.00am to 4.00pm Sundays

Reason: To safeguard and protect the residential amenities of the surrounding area.

2. All deliveries to the store shall only take place between 7.00am and 8.30pm Monday to Saturday

Reason: To safeguard and protect the residential amenities of the surrounding area.

REASON FOR APPROVAL:

The proposed extension to the hours of opening of the retail store would be acceptable and would not have an appreciable or noticeable impact on the residential amenities presently enjoyed by the residents living in the vicinity of the store.

TWC/2011/0164 The Fields, Donnington Wood, Shropshire,
Change of use of land to form 26no. allotments with the erection of associated sheds,
storage container and 2.4m high fencing and gates

APPLICANT

Lilleshall, Donnington & Muxton Parish Council

RECEIVED

09/03/2011

PARISH

Lilleshall, Donnington and Muxton

WARD

Donnington

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of use within the Green Network, Impact on the character and appearance of the area, and Loss of open space.

THE PROPOSAL:

This Parish Council application relates to the change of use of a large area of flat grass to form 26 allotments on land at The Fields, Donnington. The allotments would range in size from 50 to 160 square metres. The site, which extends to 1.45 hectares, is designated as Green Network on the Wrekin Local Plan.

The application also includes the erection of associated sheds, a storage container, and security fencing and gates. Each allotment would contain a shed which would be approximately 1.8 metres long, 1.3 metres wide and 1.98 metres high. The container, which would act as a communal tool storage facility, would be 6 metres long, 2.4 metres wide, and 2.6 metres high. The proposed boundary fencing would be 2.4 metres high, apart from along the eastern boundary, where it would be 1.8 metres high.

Car parking for the allotments would be available in the existing car park adjacent to the Recreation Ground ball courts. This would be shared with the users of the bowling greens and ball courts. Allotment holders would then access the site on foot along an existing public footpath. These arrangements are designed to prevent any potential increase in vehicular traffic along the narrow unadopted road to the south of the site.

SITE AND SURROUNDINGS:

The application site lies on the northern side of The Fields in Donnington. To the north are the bowling greens of the Donnington Wood Bowling Club, and to the south and east of the site are existing residential dwellings.

PLANNING HISTORY:

None.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 –Delivering Sustainable Development

PPS17 – Planning for Open Space, Sport, and Recreation

Saved Wrekin Local Plan Policies
Policy OL3 – Green Network
Policy OL4 – Development in the Green Network
Policy LR1 – Provision of Community Facilities
Policy UD2 – Design Criteria

LDF Core Strategy
Policy CS10 – Community Facilities
Policy CS11 – Open Space
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

As the Parish Council has submitted the application it feels it cannot offer a recommendation.

The Council's Geotechnical Engineer has no objection subject to 'Informatives' relating to Minerals and Contamination.

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

The Council's Outdoor Recreation Officer fully supports the application.

PLANNING CONSIDERATIONS:

The Parish Council has a long waiting list of people wanting an allotment in Donnington, and it has been searching for a suitable site for several years. This particular piece of land at The Fields has been identified as the only feasible site within this part of the Parish that could be used as allotments.

Although it is located within the boundary of the Donnington Recreation Playing Fields, and is freely available for anyone to use, it is not actually utilised for any formal recreation purposes. As the site is currently under-used the Council's Outdoor Recreation Officer has no objection to it being used for allotments. He feels there is ample room on the remainder of the recreation ground to adequately cater for all the recreational needs of this part of Telford.

The site is well screened along most of its boundaries and it is considered that the proposed use will not have any significant impact on the visual amenities of the area. With this in mind it is felt necessary to impose a condition to retain all existing boundary hedges.

It is considered that the existing car park adjacent to the Recreation Ground ball courts is large enough to accommodate all the needs of the allotments, bowling greens, and ball courts. Although the site lies close to one of Telford's frequent bus routes it is believed that many allotment holders will take the opportunity to car-share with each other. Additionally, there is also good accessibility for people arriving on foot or by cycle.

The application site lies within the Council's Green Network where new development would not normally be acceptable. However, Policy OL4 of the Wrekin Local Plan permits development in the Green Network provided that

the proposed development demonstrates that (a) there are exceptional circumstances, (b) it contributes or is complementary to the aims of the Green Network, or (c) environmental and community benefits are an integral part of the proposal. Although this proposal will result in the loss of recreational open space it is considered that the proposed use does comply with Policy OL4 on the basis that it will provide community benefits of a different kind for the residents of Donnington and the wider area. The proposed allotments will still be a community provision which accords with the aims of the Green Network and other open space policies. Whilst the nature of the community facility has changed, nevertheless a community facility will still remain.

In short, it is considered that this is an acceptable site for new allotments, close to community uses, residential areas and a public transport route. The proposed use will not have a detrimental impact on the character and appearance of the surrounding area, or adversely affect the residential amenities presently enjoyed by the occupants of existing dwellings in the vicinity of the site. It will contribute to the provision of new community facilities and help to reduce the shortfall in allotments within this area of Telford.

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

1. A03 Time limit
2. C38 Development in accordance with submitted plans
3. Full details of sheds and storage container
4. Retention of existing boundary hedges
5. Full details of boundary fencing and entrance gates

REASON FOR APPROVAL:

The proposed use will provide community benefits for the residents of Donnington and the wider area. The proposed use will not have a detrimental impact on the character and appearance of the surrounding area, or adversely affect the residential amenities presently enjoyed by the occupants of existing dwellings in the vicinity of the site. It will contribute to the provision of new community facilities and help to reduce the shortfall in allotments within this area of Telford.

TWC/2011/0182 Land off, Cedar Close, Overdale, Telford, Shropshire, TF3 5BN
Erection of a 1m high fence along part of site frontage and erection of timber fence on retaining wall along part of site boundary

APPLICANT

J Gaughan Developments

RECEIVED

18/03/2011

PARISH

Lawley and Overdale

WARD

Lawley and Overdale

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Design and appearance of the fence.

THE PROPOSAL:

This part-retrospective application relates to the erection of a one metre high timber fence along the site frontage, and on the top of a retaining wall along part of the site boundary, at Cedar Close, Overdale.

The fencing would comprise one metre high support posts and vertical pickets, spaced at equal intervals, and attached to two horizontal rails.

The picket-style fence would be erected in two locations:

- (a) to the right hand side of the entrance to a cul-de-sac of eight recently constructed dwellings, and adjoining No.7 Cedar Close – approximately 15 metres in length
- (b) on top of a low wall, opposite six of the dwellings, alongside the private drive towards the top of the cul-de-sac – approximately 48 metres in length. The total height of the wall and fence would be approximately 1.5 metres.

SITE AND SURROUNDINGS:

The site lies in the centre of the Overdale housing estate and is totally surrounded by residential development apart from the Carpenter Family Centre to the north east of the application site.

PLANNING HISTORY:

W2007/0607 – erection of six dwellings and two flats - approved

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies
Policy UD2 – Design Criteria

LDF Core Strategy
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

The Parish Council has objected to the application for the following reason:

- All the boundary should be finished with a continuous fixed brick retaining wall with timber on top along the length of the boundary and not have a section of 1m high wooden fencing at all as part of it.

The Council's Geotechnical Engineer has no objections to the application subject to the imposition of two informatives relating to minerals and contaminated land.

PLANNING CONSIDERATIONS:

In normal circumstances the erection of a one metre high fence would be classed as permitted development which would not require planning permission. However in this particular case permitted development rights were withdrawn from this development, and therefore all fences in and around the site do require planning permission.

It is considered that the proposed fence along both the site frontage and above part of the side boundary is acceptable as it would relate positively to its context, and would respect and respond to this urban location.

The fencing would not have a detrimental impact on the character and appearance of the site or the surrounding area, or adversely affect the residential amenities presently enjoyed by the occupants of the dwellings in the vicinity of the site.

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

1. A04 Time limit
2. C38 Development in accordance with submitted plans

REASON FOR APPROVAL:

The proposed fence would relate positively to its context, and would respect and respond to this urban location. The fencing would not have a detrimental impact on the character and appearance of the site or the surrounding area, or adversely affect the residential amenities presently enjoyed by the occupants of the dwellings in the vicinity of the site.

TWC/2011/0183 Land Adjacent To, 17 Charlton, Telford. TF6 5EU
Demolition of existing redundant greenhouse and erection of two detached dwellings
(Outline)

APPLICANT
W York

RECEIVED
18/03/2011

PARISH
Wrockwardine

WARD
Wrockwardine

THIS APPLICATION IS A DEPARTURE TO THE LOCAL DEVELOPMENT
FRAMEWORK CORE STRATEGY

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of development, Character and appearance,
Highway safety, Residential amenity.

THE PROPOSAL:

The application seeks outline planning permission for the demolition of
existing redundant greenhouse and erection of two detached dwellings

SITE AND SURROUNDINGS:

The application site was formerly a plant nursery and still comprises large
greenhouses which are located parallel to the highway and extend to the back
of the modern bungalow at No.17 Charlton, with c.1.5m high hedge and grass
verge between the greenhouses and the narrow highway. The existing drive
access is located between the existing bungalow and the greenhouses.

Charlton is a small linear settlement located within the rural area and
comprises predominantly residential development surrounded by agricultural
land. Residential development in Charlton comprises a mix of ages and types
of properties. Adjacent to the greenhouses, there are 2 pairs of modern semi-
detached houses, which are set back from the highway with driveways and
front garden areas. Opposite the site are also modern detached dwellings
with substantial gardens to the front of the properties.

PLANNING HISTORY:
None

PLANNING POLICY CONTEXT:
National planning guidance:
PPS1 Delivering Sustainable Development
PPS3 Housing
PPS7 Sustainable Development in Rural Areas

Core Strategy:
CS1 Homes
CS7 Rural Area
CS15 Urban Design

Wrekin Local Plan:
UD2 Design Criteria
H9 Location of New Housing
H10 Scale of Development
H24 Affordable Housing Rural Exceptions Policy

CONSULTATION RESPONSES:

Parish Council: no objection

Highways: no objection subject to conditions B19 (access) and B22 (parking) and standard highways informative (I11).

Geotechs: no comment

Shropshire Fire Service: no objection subject to informatives

Shropshire Council: no comment

One neighbour letter of objection has been received with the following comments:

- Loss of light to kitchen
- Lack of public transport - limited bus service with approx. 2 buses a week from the village
- Additional traffic – congestion and parking problems causing personal stress
- No mains drainage system
- Existing post with electricity and phone wires located in adjoining garden.

In addition to the above correspondence, 7 signatures from local residents have been attached to the application in support of residential development on the site; however the residents would not support social or affordable housing.

PLANNING CONSIDERATIONS:

The proposal seeks outline planning permission for the erection of two detached dwellings following demolition of the existing redundant greenhouse. All matters are reserved for a further planning application; however indicative plans of the layout, access arrangements and appearance and form of the dwellings have been included with the application. These set out that 2 detached 3-bedroom dwellings could be accommodated with associated access, parking and amenity space.

In terms of the principle of the development, there are no planning policy issues with regard to the removal of the existing derelict greenhouses; however the proposed residential development in Charlton is a departure to planning policy contained in the Core Strategy and the Wrekin Local Plan.

Core Strategy Policy CS1 states that housing needs in the rural area will be met by approximately 170 new dwellings over the period from 2006 – 2016. At the current time, the threshold has been met from dwellings already built or having received planning permission. Furthermore, Policy CS7 states that development within the rural area should be limited to meet the needs of the area, and be focussed on the 3 key settlements of High Ercall, Tibberton and Waters Upton. Outside these settlements development will be limited and within the open countryside strictly controlled. The local policies are based on national guidance contained in the Planning Policy Statements. This is supported by national policy which outlines new development shall be located in or on the edge of existing settlements and service areas where housing, employment, services and other facilities are provided close together, in order to create sustainable communities.

Charlton was not listed as one of the 13 suitable settlements in policy H9 of the Wrekin Local Plan. H9 has now been superseded by Policy CS7 in the Core Strategy in 2007. Within the suitable settlements in the rural area Policy H10 of the Wrekin Local Plan states that development will be permitted where the proposal involves one or two dwellings on a suitable infill plot within the existing built up frontage and would not lead to the loss of open space or an extension of the village into open countryside.

The principle of open market residential development on this site in Charlton would therefore be contrary to the aims of the Core Strategy; however it would comprise 2 dwellings on a suitable infill site within the main settlement of Charlton, between the existing bungalow, No.17 Charlton and the pairs of semi-detached properties to the northwest, and would not extend development into the open countryside, which is in line with the criteria in H10. The application does not propose affordable housing, which the supporting information states would not be supported locally.

The Design & Access Statement asserts the commercial greenhouse has been disused for more than 10 years and is an eyesore within the local community. The disused nature of the existing buildings is a material consideration. In addition, the removal of the substantial greenhouse structures from the site is considered to be beneficial to the character and appearance of the predominantly residential setting. There is strong local support for the site to be redeveloped to residential dwellings with the removal of the greenhouse which is becoming an eyesore.

Thus, whilst Charlton is not one of the suitable settlements where development will be focussed, it is considered that the replacement of the existing greenhouse is acceptable and that this location within the settlement of Charlton is a suitable infill plot for the proposed residential development. The application does not propose affordable housing and the dwellings are not intended for agricultural or forestry workers. However, the benefit to the character and appearance of the area in removing the greenhouse is considered sufficient to justify departure from planning policy and constitutes an exceptional circumstance to enable the creation of a pair of detached dwellings on an infill plot within Charlton.

All matters are reserved; however the plans indicate the proposed dwellings could be located in line with the adjoining properties and would be of a similar scale, in terms of the footprint, prevailing 2-storey character and form, and with suitable access arrangements and parking provision. However, whilst the layout of the site and access are acceptable in principle; your officers wish to consider the elevations and floor plans further, and the Design & Access Statement/ supporting information to accompany the reserved matters will need to detail how the design relates to the context of other properties in Charlton.

It is considered necessary to impose a condition to remove permitted development rights in order to protect the amenities of the adjoining properties, No.17 and No.9 Charlton, with regard to extensions and installation of additional windows/ openings. However, the indicative layout demonstrates that the dwellings can be positioned in line with the existing dwellings and there is 7 metres between the window on the side elevation of No.17 (bungalow) and the boundary of the site; and 2 metres between ground floor window at No.9 and the boundary of the site, with garden shed adjacent to existing dwelling. Thus it is considered that the proposal will not have a detrimental impact on adjoining residential amenities subject to submission of detailed plans.

With regard to the neighbour comments, whilst there may be some impact on light to the kitchen window on the side elevation of No.9, this is a secondary window, and furthermore there will be a sufficient separation distance between the existing and proposed dwellings of 4 metres, with a garden shed at No.9 between the properties. With regard to increase in traffic and lack of public transport, it is noted that this location is not one of the sustainable settlements within the rural area; however the LPA has assessed that the other benefits to the community are sufficient justification to allow departure from policy. Furthermore, it has been demonstrated that there could be sufficient offstreet parking within the site, which will be detailed in a further reserved matters or full planning application. Details of drainage shall be submitted as part of the reserved matters/ full planning application. If the new development requires access to the telegraph pole for electricity and telephone, which is located within the adjoining garden of No.9, this would be a civil matter.

In conclusion, officers consider that in this particular case, the replacement of the greenhouses at the former nursery with residential development comprising 2 detached properties is considered acceptable as it would constitute an infill site and remove the existing structures which are disused and are becoming an eyesore. There is strong local support for the site to be redeveloped to residential dwellings to the benefit of the character and appearance of Charlton. Furthermore, there will not be a detrimental impact on adjoining residential amenities or highway safety. Accordingly, the proposal is considered an exception to local planning policy in the Core Strategy.

RECOMMENDATION: to GRANT Delegated Authority to the Head of Housing and Planning to GRANT PLANNING PERMISSION once the advertisement of the Departure from planning policy has expired and subject to the following conditions:

1. A03 Time limit
2. B01 Standard outline all matters reserved
3. B03 General details required
4. B06 Samples of materials
5. B07 Sample brick panel
6. B11 Details of doors and windows
7. B14 Landscaping design
8. B19 New access
9. B22 Parking/turning/loading
10. B33 Foul and surface water drainage
11. C38 Development in accordance with plans (not elevations and floor plans)
12. D01 Removal of permitted development

REASON FOR APPROVAL:

The Local Planning Authority considers that in this particular case, the replacement of the greenhouses at the former nursery with residential development comprising 2 detached properties is considered acceptable as it would constitute an infill site and remove the existing structures which are disused and are becoming an eyesore. There is strong local support for the site to be redeveloped to residential dwellings to the benefit of the character and appearance of Charlton. Furthermore, there will not be a detrimental impact on adjoining residential amenities or highway safety.

TWC/2011/0192 Land adjoining, 1 Farm Grove, Newport, Shropshire, TF10 7PX
Erection of detached double garage and formation of access.

APPLICANT

Mr Ken Lee

RECEIVED

23/03/2011

PARISH

Newport

WARD

Newport West

THIS APPLICATION HAS BEEN GREEN CARDED BY CLLR ADAM STANTON FOR CONSIDERATION BY MEMBERS OF PLANS BOARD AS HE IS CONCERNED ABOUT THE PERSISTANT APPLICATIONS TO DEVELOP THE SITE.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The culvert crossing the site, impact upon residential amenity and the character and appearance of the area and the streetscene.

THE PROPOSAL:

This application is for the erection of two single garages in a single building with the remainder of the site surfaced with hardstanding, the provision of a new dropped kerb and double gates.

SITE AND SURROUNDINGS:

The application site was formerly garden land to No.16 Longford Road; however the property was sold off into separate ownership, (as the size of the rear garden appeared to be deterring potential purchasers of the property when it was originally for sale). The site is now entirely enclosed by timber boundary fencing, substantial Conifer hedge to highway (Farm Grove). There is an existing flat-roofed garage and driveway fronting Farm Grove. The existing garage is attached to the neighbour's garage at No.1 Farm Grove. The plot narrows towards the rear. A culvert runs diagonally under the site and the adjoining properties have experienced flooding problems. Telford & Wrekin Council has previously carried out work to resolve the issues and rerouted the culvert through the Farm Grove development.

The plot is located within a residential area comprising of bungalows. It is located between the rear boundaries of No.'s 16 and 18 Longford Road and the side boundaries of No.'s 1 and 47 Farm Grove, with the adjoining dwellings located some 5 to 10 metres from the site boundary. No. 16 Longford Road has a small rear garden area and its conservatory is approximately 5 metres from the side boundary of the application site.

PLANNING HISTORY:

TWC/2010/0266 renewal of W2006/0831 for the Erection of 2-bedroom bungalow, Refused.

W2009/0868 Erection of a bungalow (Revised resubmission of W2009/0376)
Full refused

W2009/0376 Erection of a bungalow with accommodation in the roof, full refused by Members at Plans Board

W2006/0831 Erection of 2-bedroom bungalow, Outline granted

PE/2006/0371 erection of a dwelling, unlikely to be supported.

On adjacent land - W99/0852 Reprofiling of existing watercourse and rerouting of a culvert including deposition of spoil, Full granted

The plot is extremely modest however it was considered that in principle a small retirement bungalow could be accommodated on the land. The original outline application (W2006/0831) included siting with access, landscaping, design and external appearance reserved for later approval. Outline planning permission including a condition which required the developer to demonstrate that the integrity culvert on the site was not compromised or the culvert diverted. It was possible to achieve this requirement.

A second application (W2009/0376) seeking full planning permission for the erection of a bungalow with accommodation in the roof, with associated access, parking and garden land on a small plot of land between No.16 Longford Road and No.1 Farm Grove was subsequently submitted and refused. The position of the dwelling was revised to ensure that the building would be a minimum of 3 metres from the culvert. Similarly, the siting and size of the dwelling was revised accordingly due to the constraints of the site, and the application was for full planning permission for a dwelling rather than outline consent; hence there were a number of different considerations, in particular the siting of the building at the rear of the plot, with amenity area and parking to front and its potential impacts on neighbouring residential amenities, its size and height with a first floor element to the property in an area of bungalows. The application was subsequently refused for three reasons. These being:

- It was considered that the proposed bungalow with first floor accommodation was unacceptable by virtue of the footprint, height, design and siting, located in an area characterised by bungalows fronting the highway with rear garden areas situated along a distinctive building line. The proposed development would be constrained and would appear as a cramped form of development at the rear of the narrowing plot, which would be out of keeping with the prevailing character of the area.
- the development by reason of its siting, height and proposed first floor accommodation, and the prevailing character of development, would have a detrimental effect on the amenities of the adjoining bungalows in Longford Road and Farm Grove in terms of overlooking, loss of privacy, loss of light and outlook
- The proposal by virtue of its siting, the narrowing nature of the site and proximity to existing boundary treatments would have an adverse impact on the residential amenities of the proposed dwelling in terms of light, outlook and lack of private amenity area.

A third application (W2009/0868) was submitted with a reduced footprint and building height, however this too was refused as it was considered that:

- The proposed bungalow was unacceptable by virtue of the footprint and siting, located in an area characterised by bungalows fronting the highway with rear garden areas situated along a distinctive building line. The proposed development would be constrained and would appear as a cramped form of development at the rear of the narrowing plot, which would be out of keeping with the prevailing character of the area.
- The proposal by virtue of its siting, the narrowing nature of the site and proximity to existing boundary treatments would have an adverse impact on the residential amenities of the proposed dwelling in terms of light, outlook and lack of private amenity area.

Last year planning application TWC/2010/0192 for the renewal of the first outline application W2006/0831 for the Erection of 2-bedroom bungalow was refused.

Since the previous permission was granted the site has changed hands and advice from the LPA to potential purchasers has been that it was unlikely that the site could be developed for residential purposes.

The original outline application was granted subject to agreement by the Council's Drainage Engineers to a "build-over" solution or diversion of the culvert. However, the previous applicant advised the Local Planning Authority that he could not get a building-over agreement and the Drainage Authority have confirmed that they would oppose such an option. Furthermore, it is unlikely that the Environment Agency would grant permission. It was considered that a diversion would resolve the issues. However, the owners of the adjacent land have confirmed that they would not allow any diversion across their land to enable the diversion of the culvert. Furthermore, the LPA could not permit works which involved 3rd party land. The site is modest however, it was considered by the then APO that a small 'retirement type' bungalow could be accommodated on the site without having a detrimental impact upon residential amenity or the character and appearance of the area. However, in light of this new information in relation to the culvert, which was not available for consideration during the original outline application, the fact that the site could not be developed for residential use or practical reasons, plus residential amenity, character and appearance was a material planning consideration in determining the renewal.

It was therefore considered that the proposal was unacceptable as it would have a detrimental impact on the adjacent land use (the culvert) and satisfactory mitigation measures could not be achieved, to ensure that the drainage culvert crossing the land would not have an adverse impact upon the neighbouring land. Accordingly, the proposed development was deemed contrary to policy H6 of the WLP, CS13 of the Core Strategy and national guidance contained in PPS25 and hence the application was refused.

Since the last refusal the agent has sought guidance from the LPA and the advice was that a mobile home (providing it looked like the neighbouring bungalows and not like a mobile home) or garages on the site would be most appropriate in principle.

PLANNING POLICY CONTEXT:

National Guidance
PPS1 Delivering Sustainable Development
PPS25 Development and Flood Risk

Core Strategy Policy
CS6 Newport
CS13 Environmental Resources
CS15 Urban Design

Wrekin Local Plan:
UD2 Design Criteria

CONSULTATION RESPONSES:

Newport Town Council: object and have concerns with the impact of traffic over the culvert which is considered to be in a poor state of repair.

The Council's Highway Engineer supports the proposal subject to conditions requiring the access to be constructed in a bound material, the gates should be set back 5m from the highway and should open inwards, and an informative will advise the developer to contact the Council's Highways department.

The Council's Drainage Engineer has no objections subject to the imposition of a condition requiring the submission of the proposed drainage details prior to the commencement of development.

The Council's Ecologist support the proposal subject to conditions in respect of Replacement planting and Bat, bird and invertebrate boxes

The Council's Engineer has no comments to make.

A site notice and 8 direct neighbour letters have publicised the application.

Representations have been received from 4 of the neighbouring properties. The issues raised are:

- Neighbours lives have been blighted for almost 5 years during the unsuccessful attempts to develop the site,
- Site is not maintained, overgrown and falling into disrepair,
- Contamination of gardens by wind borne seeds and rodents,
- Welcome the idea of the site being developed
- The owner lives 150 miles away,
- Who will rent the garages, local residents have their own garages so tenants will not be local,

- Garages could turn into a small business or workshop with noise, disturbance and pollution,
- Neighbouring residents are pensioners,
- Deeds for the area prohibit any new development,
- New footpath crossing is unnecessary,
- The foul sewer /culvert crossing the site could be damaged by heavy vehicles,
- The wild bird population will be affected by the removal of the trees,
- The existing hedges provide security to the neighbouring dwellings,
- The garages are the same footprint as the previously refused dwelling.

PLANNING CONSIDERATIONS:

National guidance contained in PPS1 asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.

PPS25 inter alia states that landowners have the primary responsibility for safeguarding their land and other property against natural hazards such as flooding. Individual property owners and users are also responsible for managing the drainage of their land in such a way as to prevent, as far as is reasonably practicable, adverse impacts on neighbouring land.

Local policies considered appropriate for this application are CS13 which states that development which has detrimental impacts on the environment, including the quality of land, air or water, will be resisted if satisfactory mitigation cannot be achieved, and development will avoid the risk of flooding. CS15 states that development should positively influence the appearance of the local environment, and policy UD2 relates to design and expects new development to respect and respond positively to its context, both visually and functionally, and enhances the quality of the local environment.

Despite the historic outline approval on the site for a bungalow the LPA now considers that the site cannot be developed for residential uses (as outlined above in the planning history) and the applicant has chosen not to test the Council's decision at Appeal.

The site is currently unmanaged and overgrown and detracts from the character and appearance of the area and neighbours have previously complained that their gardens are contaminated by wind borne seeds and the site is a harbour for rats.

The development of the site with two single garages is considered an appropriate use of the land, which would tidy up the site and thus have a positive impact upon the locality. The proposed building comprises a brick built structure using facing bricks to match the existing garage on the site. The drawings indicate a 30 degree tiled pitched roof. The existing garages on and adjacent the site have a flat roof which is a typical design feature of their age. However, pitched roofed garages are considered an improvement and more desirable than those with flat roofs. The proposed garages will not look out of character in the streetscene as the properties in Farm Grove have a mixture

of flat and pitched roofed attached and detached garages and carports and the prevailing character of the immediate area is that of single storey dwellings with similar pitched gable roofs to that proposed for the garages.

Neighbours have raised concerns that the garages could be used for commercial purposes however the imposition of conditions will ensure that they are restricted for only domestic storage. Hence there would be no detrimental impact upon the residential amenity of the area.

Neighbours have also raised the fact that the applicant does not live in the area and everyone in the street already has parking provision. However, it is not unusual for a landlord not to live in the town where he or she owns property, and therefore this observation is not a material planning consideration in determining this application. Furthermore, the LPA cannot control who rents the garages or where they come from. Neighbours have also advised that there is a covenant associated with the Deeds for properties in the area precluding any new development in the area. It should be noted that issues such as this contained in Deeds are private matters to be considered independently from planning and can not influence the determination of this application.

The necessary easements have been achieved to ensure that the culvert which crosses the site is not compromised and the Council's highway and drainage engineers support the proposal subject to the imposition of conditions. The development will require the removal of some of the Leylandii trees bounding the front of the site however the Council's Ecologist has no objections and suggests that replacement planting could take place and bat, bird and invertebrate boxes could be erected on the site.

Accordingly, the proposed development of the site with two single garages is considered an acceptable use of the site which will bring an otherwise derelict piece of vacant land back into an appropriate use. The layout ensures that the culvert which crosses the site is not compromised. The design of the building is sympathetic to the locality and the development of the site will result in the land being tidied up and thus will have a positive impact upon the streetscene and the imposition of conditions will control the use of the garages to ensure that the residential amenity of the neighbouring dwellings is not adversely affected. Therefore, the proposed development is considered compliant with policy UD2 of the WLP, policies CS6, CS13 and CS15 of the Core Strategy and national Guidance contained within PPS1 and PPS25.

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

1. A03 Time Limit.
2. B05 Details of Materials.
3. B33 surface water drainage details.
4. C38 In accordance with approved plans.
5. Custom access in a bound material for first 5m.
6. C23 Gates set back 5m from highway and to open inwards.
7. D02 domestic garages: no business use.

8. I40 conditions.
9. I41 Reasons for Approval.
10. I11 Developer to contact Council to work on highway.
11. I25a Bat boxes.
12. I25f Replacement Planting.
13. I25c bird boxes.
14. I25I Invertebrate boxes.

REASON FOR APPROVAL:

The proposed development of the site with two single garages is considered an acceptable use of the site which will bring an otherwise derelict piece of vacant land back into an appropriate use. The layout ensures that the culvert which crosses the site is not compromised. The design of the building is sympathetic to the locality and the development of the site will result in the land being tidied up and thus will have a positive impact upon the streetscene and the imposition of conditions will control the use of the garages to ensure that the residential amenity of the neighbouring dwellings is not adversely affected.

TWC/2011/0196 Land Off, St Matthews Road, Donnington, Telford. TF2 7RB
Outline application for residential development with all matters reserved for subsequent approval.

APPLICANT

Estates and Investments - Telford & Wrekin Council,
Matthew Haynes

RECEIVED

18/03/2011

PARISH

Lilleshall, Donnington and Muxton

WARD

Muxton

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development and green network, highways, ground conditions, design principles, and impact on neighbouring properties.

PROPOSAL:

This is an outline application, with all matters reserved for later consideration. A zoning plan has been submitted which identifies the maximum areas for built development, no build areas incorporating green spaces and parking.

The indicative layout demonstrates that 28 properties with a mix of scale size and style can be accommodated, which can be flexible to address the local need which has been identified for this area. The scale of development is from single to three storeys. The plan shows a mix of parking arrangements for the dwellings with on plot parking, garaging and small parking courts, with at least 200% provision. The plan also demonstrates the provision of replacement parking for the lifelong learning centre and primary school.

BACKGROUND:

This development is part of a larger joint venture between Telford and Wrekin Council and the Homes and Community Agency (HCA) to increase affordable housing provision across the borough, to meet local housing needs. The sites are being made available at nil land value to facilitate 100% affordable housing schemes, with the net gain of these units sought for the borough. Whilst all of the HCA sites currently have outline planning consent in place, the land being put forward by Telford and Wrekin Council requires outline consent. The need for outline consent is to ensure that the Developers or Register Social Landlords can progress the programme of works swiftly to ensure deliverability of the project.

SITE AND SURROUNDINGS:

The application site is approx 0.8 hectares of site which is in two separate parcels. The larger parcel comprises of two car parks, a former club, and a three storey mixed use building for retail and residential. The smaller parcel is an open grassed area, adjacent to 10 Penistone Close. The site as a whole has a gently slope rising to the south. There are a limited number of trees on the site and some areas of unmaintained grass and scrub and hedging.

To the north of the site is a Listed building St Matthews Church with associated cemetery and grounds and single storey dwellings. There is also lay-by in the road. To the east is St Matthews Primary school and associated playing fields and grounds. To the south is residential development predominantly two storey, there is a footpath link to the site running parallel to properties, which front the site. To the west is the Life long learning centre and an area of open space and plan facilities. The smaller parcel of land is bounded by the residential properties to the south and west, is adjacent to the opens pace to the east and St Matthews road and then open space to the north.

As existing there are two vehicular accesses off St Matthews road, the western access serves the shops, residential units and life long learning, the eastern access leads to a former car park, which is currently fenced off.

RELEVANT PLANNING HISTORY:

W2008/0383 – Outline application for Residential Development (55 dwellings)
– Withdrawn September 2010

W2008/1060 – Car parking areas (15 spaces) – Withdrawn February 2011

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPS5 Planning for the Historic Environment
PPS9 Biodiversity and geological conversion
PPG13 Transport
PPS25 Development and Flood risk

Saved Wrekin Local Plan Policies

UD2 Design Criteria
H6 Windfall sites on Telford and Newport
H22 Community Facilities
H23 Affordable Housing
OL3 Green Network
OL4 Development in Green Network
OL11 Woodlands and Trees
LR6 Outdoor Recreational Open Space Provision
EH7 Contaminated Land
EH8 Remedial Action on Contaminated land
EH14 Land Stability

LDF Core Strategy

CS1 Homes
CS9 Access and social inclusion
CS11 Open Space
CS12 Natural Environment
CS13 Environmental resources
CS15 Urban Design

CONSULTATION RESPONSES:

Lilleshall, Donnington and Muxton Parish Council has no objection to the proposal but raises concerns about parking provision for Life Long Learning's and St Matthews Church and access for a disability bus to properties in Barn Close.

Shropshire Fire Service has no objections to the informatives on service vehicles water supplies and sprinkler systems.

Drainage the site is well served by public sewers and therefore no concerns regarding the disposal of foul and surface water. The site should be considered as Brownfield and the run off rate restricted to in line with PPS25 requirements. This should be controlled through conditions along with details of foul water drainage.

Geotechnical supports subject to conditions, the mineshafts affecting the site have been investigated by council and full treatment of shaft 0001 will allow development within 5m of the shaft. All other shafts that affect the site have a minimum stand off of 20m as no treatment details are available and their positions are off site. Condition B27 untreated mineshafts, B28 treated mineshafts and informatives I17minerals Area & I20 Contaminated Land are required.

Built Heritage Conservation No objection in principle to residential development, the layout and design of proposal should either be well screened from the Listed Church or of sufficient high quality so as to not detract from the Church.

Environmental Health Contaminated Land The proposed development is situated over a former mining area. The report was produced in 2004, and there are deficiencies relating to Polyaromatic Hydrocarbons (PAH) and Elevated levels of Zinc. Despite these deficiencies, the proposals as per section 5.3.1 for a cover system of 450mm of clean imported topsoil in garden and landscape areas will be sufficient to address the land quality issues that have been identified. I therefore recommend the standard condition B30 land contamination.

Ecology Officer initial request for additional information subsequent comments for condition for C79/80 bat and bird boxes and informatives relating to I25m nesting birds, I25k bats and birds, I25e trenches and I25g enhancement planting.

Highways initial comments number of concerns relating to access over mineshaft, links and access, use of parking facilities, and provision of visibility splays. Amended plans comments are awaited.

Urban Design Initial comments, this is a complex site which is possibly one of the reasons it has remained undeveloped) for so long and although the proposed scheme is along the right lines, it requires more thought in regard to placemaking. Areas of concern relate to parking, access and shared surface,

site appraisal, the types of units being too detailed and fails to create a sense of place

Comments on amended plans, Illustrative masterplan: Generally fine, and has accommodated many of the changes discussed and now gives adequate flexibility at reserved matters whilst defining underpinning principles for the site.

THIRD PARTY REPRESENTATIONS:

One letter from Head Teacher general support however two areas of concern, use and location of car parking to ensure that is not a parent collection drop-off point, but creates a secure staff parking area and removal of public footpath would limit access to the school and result in a security risk.

PLANNING CONSIDERATIONS:

The proposal is for outline planning permission with all matters reserved. The zoning plan submitted with the application indicates maximum horizontal parameters set out in zones and the zones also set vertical parameters to a maximum of three storeys on the apex of the site with the majority of the development to be a maximum of 2 stories.

Principle of Development

The land is in part designated as 'green network' within the Wrekin Local Plan. The green network is an interlinked system of open space and landscape within the borough. Cumulatively, this land creates a high quality urban environment. The aim of the green network is to evolve as a major ecological, visual and recreational resource. Development should not have an adverse impact on the green network and there is a general presumption against development however policy OL4 does allow for exceptional circumstances.

The proposed development is for 100% affordable housing which has been identified as a requirement in the area. The current use of the part of the site within the green network is a former car park, an area of hardstanding to front of retail premises and scrub land adjacent to former pub offers limited ecological and recreational benefits. The proposal indicates the creation of areas of open space, which will be a managed facility and therefore proposes an improvement. It is therefore considered that the development will have both community and environmental benefits and accords with the exceptions as set out in Policy OL4.

Highways Issues

Whilst the siting of the access is reserved for later consideration, the master plan has indicated a position for access into the site. The highways officer has no objection in principle to the development and access off St Matthews's road, subject to provision of adequate visibility splays and the ability to leave each access in forward gear.

The site is currently used for parent pickup/drop off in association with the school, it is important to understand where this is to be displaced to. The existing lay-by is considered an appropriate facility, subject to improvements

to surface and potential requirement for a crossing point, a sum of £33000 is required towards these enhancements and a further £2000 for any necessary traffic regulations orders to control parking along St Matthews Road. Pedestrian links through the development site are proposed and these will have natural surveillance from the development. These principles are identified and addressed in the masterplan and will provide the basis for the later submission of reserved matters. The existing car park is also used by the life long learning centre, and this centre will demand a requirement for additional facilities. There are two parking zones located adjacent to the centre for this purpose. In addition, it is intended that the staff parking proposed for the school would be available. The use and management of the parking provision, is considered acceptable to offset the loss of this car park, subject to a condition relating to management. It should be noted that in any subsequent detailed design should trees be within the limits of any highway to be adopted, there will be a requirement for a commuted maintenance sum of (£350 per tree).

The master plan submitted demonstrates that an acceptable layout of development can be accommodated on the site with adequate levels of parking provision.

Design Principles

As the application is outline, with no matters submitted for consideration, only the principles of design can be considered at this stage, as detailed in the design and access statement. The indicative master plan demonstrates that the mix of development can be accommodated on the site, which would be suitable to meet the housing requirements of the local area, with the inclusion of flats and houses. A number of principles have been set, including provision of a feature landmark building and retention of an open character along the south of the site adjacent to properties in Barn Close. This will help minimise the impact of the development on existing residents and ensure that the open space has a wider community benefit.

It is considered that the configuration of development zones will allow for a wide variety of affordable housing types, of a scale, which respects the character and appearance of the surrounding area. The location of the development zones would ensure that there is sufficient separation between the proposed and existing properties to preserve the amenities of occupiers of these properties. The proposal accords with Policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

Drainage and Ground Conditions

The site can be adequately drained and levels of runoff can be controlled through conditions. Following investigation, the site has a known mineshaft which is to be treated and will allow for development within 5m, there are other mineshafts outside the boundary of the site, which will require a 20m standoff as they are not known to have been treated. The land is also contaminated, but this can be addressed and mitigated through conditions.

Open Space, trees, and ecology

The site is currently mixed uses with any significant planting situated around the boundaries of the site. There are no known ecology issues on the site, however a scheme for enhancement has been recommended with the inclusion of bat and bird boxes to be controlled through conditions along with other informatives

At this stage, no details of the end use of this open space have been agreed; however, the appropriateness of the use can be considered at the reserved matters stage. The development therefore accords with Policy CS11 of the Core Strategy and Policy OL11 of the Wrekin Local Plan.

Planning Obligations

Development of this scale has an impact on existing community facilities and planning obligations are used to mitigate this impact. In this case the proposal is for 100% affordable housing provision, and it has been agreed that this level of provision is sufficient to mitigate the impacts of the development and further requirements for contributions towards education and open space could adversely affect the viability of this scheme and increase potential reliability on grant aid to deliver the scheme. However, as the development site seeks to displace the current parking facility for the drop off/collection of children at the primary school, it is necessary to provide and improve facilities in the immediate vicinity, this is to be secured through a contribution to highways of £35,000.

Conclusion

The scale and layout of the development is in keeping with the character and appearance of the surrounding area. The indicative master plan demonstrates that the site can accommodate an acceptable mix of dwellings, with adequate parking provisions for the proposed dwellings. The site can be adequately drained; issues of land contamination and stability can be addressed and mitigated through conditions. There is adequate level of open space retained within the development, with management to be controlled by the developer. Accordingly, the proposal is acceptable in principle and complies with local and national policies.

RECOMMENDATION: subject the Council as landowner agreeing that the land will be bound by the obligations in respect of £33,000 for highways enhancement and £2,000 for Traffic Regulation Order for St Matthews Road, Head of Housing and Planning is authorised to GRANT PLANNING PERMISSION subject to the following conditions:

- | | | |
|---|------|---|
| 1 | A01 | Time limit – Outline |
| 2 | A03 | Time Limit – Submission of reserved matters |
| 3 | B01 | Standard outline all matters reserved |
| 4 | B03 | General details required |
| 5 | B19a | Highways new access |
| 6 | B21a | Visibility splays (details to be approved) |
| 7 | B22a | Parking management plan |
| 8 | B27 | Untreated Mineshafts |
| 9 | B28 | Treated mineshafts |

10	B30	Contaminated Land
11	B33	Foul and Surface Water Drainage
12	BCustom	Brownfield Drainage
13	B80	Site Environmental Management Plan
14	C38	Development in accordance with deposited plans
15	C79/80	Bat/bird boxes
	Informatives	
	I17	Mineral Area
	I20	Contaminated Land
	I25c	Bat, Bird, Invertebrate boxes
	I25e	Trenches
	I25g	Enhancement Planting
	I25k	Bats and Birds
	I25m	Nesting Birds
	I32	Fire Service Informatives
	I40	Conditions
	I44	Reason for outline consent

REASON FOR APPROVAL:

The scale and layout of the development is in keeping with the character and appearance of the surrounding area. The indicative masterplan demonstrates that the site can accommodate an acceptable mix of dwellings, with adequate parking provisions for the proposed dwellings. The site can be adequately drained; issues of land contamination and stability can be addressed and mitigated through conditions. There is adequate level of open space retained within the development, with management to be controlled by the developer. Accordingly, the proposal is acceptable in principle and complies with local and national policies.

TWC/2011/0201 Former Shropshire Lad, Malinslee Local Centre, Brunel Road, Dawley, Telford, Shropshire, TF3 2HZ
Erection of 3no. units for Use Class A1 (Retail) and A5 (hot food takeaways) with associated parking

APPLICANT

Telford & Wrekin Council, James Dunn

RECEIVED

22/03/2011

PARISH

Great Dawley

WARD

Malinslee

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Site layout and design, Green Network, residential amenity, highway safety, parking, provision of community facilities.

THE PROPOSAL:

This is a Council application which seeks planning consent for the erection of Three retail units in the form of a local supermarket (241.1sqm), a hairdressers (52.3sqm), and a hot food takeaway (39.3sqm). The proposal also includes a dedicated service yard and the creation of 37 parking spaces including 4 dedicated disabled spaces.

The application forms part of a wider master plan for the redevelopment of the local centre which was approved in June 2007. The masterplan included the erection of a new doctor's surgery, a child development centre, 4 retail units, residential development and a local equipped area of play following the demolition of the existing shops, community centre, surgery and public house.

SITE AND SURROUNDINGS:

The application site is predominately an area of hardstanding where the Shropshire Lad Public House and associated parking was previously located. The site has been cleared, and temporary fencing erected around the perimeter of the site. The site is predominantly level, although the ground to the east of the site rises at the boundary edge by approximately 1.5-2m. A few trees and small areas of landscaping are located on the perimeter of the development site.

The newly constructed Primary Care Trust building abuts the western boundary of the site, sited on higher ground to the proposal. This is a modern two storey flat roof building, with buff brick ground floor and a first floor which is set back and rendered cream. There is a deliberate overhang of roofing detail at both floor levels.

Further west of the site, the redeveloped Langley and St Leonards School, now Old Park School and Childrens Centre is located. This is a modern two storey and single storey flat roof building; the architecture is angular and bold, using contrasting materials, of cream and blue render, punctuated by glazing and a grey roof. There are very deliberate points and large overhangs at both tiers of roof from the flat roof.

Brunel Road abuts the eastern boundary of the site, this acts as a link road through Malinslee, separating this area of community facilities with the wider residential estate.

The site is well served by existing public transport links with a bus stop located on Brunel Road and is also within walking distance of Telford town centre.

PLANNING HISTORY:

W2007/0359: Demolition of existing shops, community centre, surgery and public house, and the erection of a new doctors surgery, child development centre, 4no retail units, residential development and a local equipped area of play. Outline granted June 2007.

Adjacent site:

W2007/0316: Erection of a New School with associated car parks, playing fields and playgrounds and alterations to existing vehicular accesses. Full Granted May 2007.

W2008/0742: Ejection of a Primary Care Trust Property. Full Granted August 2008.

PLANNING POLICY CONTEXT:

Saved Wrekin Local Plan Policies

- UD2 Design Criteria
- H22 Community Facilities
- OL3 Green Network
- OL4 Development in the Green Network
- LR1 Provision of Community Facilities

LDF Core Strategy

- CS2 Jobs
- CS8 Regeneration
- CS9 Accessibility and Social Inclusion
- CS10 Community Facilities
- CS15 Urban Design

National Planning Guidance

- PPS1 Delivering Sustainable Development
- PPS4 Planning for Sustainable Economic Growth
- PPG15 Transport

CONSULTATION RESPONSES:

Great Dawley Parish Council raise no objections to the proposal subject to adequate lighting provision to the car park.

Drainage: Raise no objections to the proposal subject to conditions regarding discharge rate for brownfield land, and details of foul and surface water drainage.

Environmental Engineers: Raise no objections subject to informatives.

Highways: No objection in principle, however have some concerns over the swept path analysis which requires service vehicles to perform a convoluted manoeuvre into the car park and then reversing into the service area, adjacent to the school gates. However as the site is so constrained there is limited opportunity to improve this. Subsequently there is a need to retain the adjoining access road, in addition to preventing delivery times in peak school periods. Furthermore the bust stop shown adjacent to the site will only be relocated when development to the south commences; A pedestrian link to the MUGA should be implemented through the site; and the pedestrian route adjacent to the main site access should be a minimum of 2m wide. Subsequently requests conditions to any approval to reflect these aspects.

Parks & Open Space: Raised no objection; proposed area to north is retained for the MUGA and is anticipated to be installed September, with completion in October. One minor issue of concern relates to lighting on the carpark, which may overspill onto the play area and encourage late night usage which would become a nuisance, subsequently these should be shrouded.

Ecology: No objection subject to informatives regarding bat and bird boxes and enhancement planting.

Sustainability: Make no comment

Contaminated Land: Make no Comment.

One letter of objection has been received from a local resident, on the grounds of:

- Noise
- Vandalism and anti social behaviour
- Previous shop location led to congregations of youths,
- Concern over opening hours
- Problems associated with the adjacent school from anti social behaviour
- Previous shop subject to arson attack.

PLANNING CONSIDERATIONS:

The majority of the development site is designated as Green Network within the Wrekin Local Plan; however the footprint of the demolished public house has no land allocation. Green Network designation protects land from development unless there are exceptional circumstances, it contributes to the aims of the green network, or there are environmental or social benefits. In this case the proposal will bring about community benefit by replacing the local centre which has recently been lost. Furthermore Plans Board Members accepted the principle of development in 2007.

The indicative masterplan for the site indicated the northern section of the site to provide a Multi Use Games Area, a relocated Doctors Surgery and a Child Development Centre; a link road to the new primary school running roughly east to west separating this area with the remainder of the development. 4 new retail units were positioned within the centre of the site approximately

where the Doctors Surgery is currently located, and surrounded by residential to the west and south of the site. Since then the applicants have engaged with stakeholders and the master plan evolved with the additional requirements and environmental constraints. This includes the approved and completed development for the school footprint moving eastward due to ground levels, and the Primary Care Trust (PCT) expanding its footprint. The size and orientation of leisure facilities were rejected as they did not meet ROSPA guidelines; the Doctors desire to increase the size of facility, and road front position; and the provision of suitable highways access, and adequate parking. The PCT, the school, access road and parking for these facilities have now been approved and completed; furthermore a mini roundabout has been installed at the access from Brunel Road.

The proposed end use of the retail units have been carefully considered and developed in accordance to the market. The previous three retail units located in the area consisted of a takeaway, a hairdressers and a small local supermarket. Whilst there are other food stores in the locality, the proposed supermarket totalling 241.1sqm represents a small local facility, devised purposely to meet the needs of convenience rather than comparison shopping facilities. Subsequently it is considered the proposed scale of development is commensurate to the role of the local centre, and will enhance the vitality and vibrancy of this area as a community facility.

The proposed retail units will be located to the north of the access road, with access off this highway, and not Brunell Road. The retail units will face eastward overlooking the proposed parking area, and further east Brunel Road. To the rear of the retail units a service yard will be provided, including a secure gated delivery entrance, providing a secure gated delivery entrance, and discrete bin locations. The proposed location of the units will provide natural surveillance over the area of car parking in addition to an active frontage to Brunel Road. The service yard will be well screened form the public realm, assisted by the natural rise in ground levels to the rear of the site. Additionally the proposed location will not adversely impact the future schemes coming forward on the adjacent play area, nor the residential amenity of local residents; subsequently the proposed location is considered acceptable.

A footpath from the access road to the play area running south to north abuts the front elevation of the retail units; anti ram raid devices will be sited on the kerbside of this footpath providing a safe divide between the car park and the units. A pedestrian zone will also be located across the car park indicating safe areas to cross the car park from the proposed Bus Stop on Brunel Road to the new retail units. It is considered Pedestrian safety has been carefully considered within this design.

The previous 3 retail units were served by 25 vehicle spaces, which include 2 disabled allocations, and 7 staff allocations. The proposal will provide 37 parking spaces, including 4 designated disabled spaces. This allocation has increased the ratio of parking to floor area, and will assist any informal overspill from the school and PCT when required. Bicycle storage and

motorcycle parking is also identified to the north of the site. It is considered this is acceptable for the level of floor area being created. Furthermore the proposal is located on a bus route, and in close walking distance to the residential area these community facilities will serve. Access to the service yard has raised some concerns from Highways, due to the contrived manoeuvre; however due to the nature of the shops it is considered the loading for such large vehicles will be minimal, discussion with regard to this turning facility is currently ongoing and members will be updated on the conclusion at Plans Board, this could include the use of the access road for the Drs Surgery. Due to the location of this manoeuvre which will hinder the school gates it is considered such deliveries should take place outside of the school drop off times, the highways officer states this should be between 08:00 to 16:00, however this is considered unreasonable, and should be restricted to be outside of school drop off times; subsequently this is condition to be between 08:00 – 09:00 and 15:00-16:00.

With regard to the detailing of the application, the proposed units are arranged as one block. As the supermarket is the larger retail unit, it is situated to the north west of the development site, where the site can accommodate the depth. There are no objections to the location of these units, and the relationship with adjacent uses.

The proposed development reflects the adjacent new development using similar proportions and a large overhang. The proposal is single storey however the retail units have two elements which create vertical emphasis dividing up the front and side elevations, and respecting the architectural merits of the adjacent development. The proposed finish originally submitted was a timber effect lapped boarding, using contrasting large format blocks on the projecting bays to create interest and accentuate the vertical emphasis; unfortunately due to an issue with cost, it is now proposed to amend this detail to a render similar to the adjacent units, and amended elevations are awaited. These proposed materials are considered acceptable, adding interest, but also respecting the newly created character of the redeveloped area.

With regard to landscaping, the proposal includes some areas of soft landscaping around the perimeter of the site, in addition to a generous area of planting to the south of the retail units, adjacent to the access road. The bank to the rear of the site will also be landscaped screening the service yard from the school and PCT. A 1.8m high wire mesh fence will be erected around the service yard to aid security, reducing to a 1.2m bow top fence adjacent to the car park and play facilities, ensuring the safety of both areas, this is considered acceptable. An eternal lighting scheme shall also be installed around the car park increasing surveillance of the area, however this should be limited to reduce the hours of use of the adjacent MUGA; all details of all hard and soft landscaping can be adequately controlled through condition.

The applicant proposes the hours of use for the retail units (A1) are 6:00 to 23:00 Monday to Sunday, and for the takeaway (A5) 11:30 to 23:00. A local supermarket will provide convenience shopping to the local population, requiring a early opening and a late closing; the takeaway will cater for lunch

time and evening trades. As the proposed masterplan has altered, distancing the residential development from these facilities, the proposal is now segregated from residential areas; subsequently it is considered the proposed hours would not have an adverse impact on the quality of environment.

With regard to neighbours concerns over anti social behaviour, whilst the Local Authority acknowledge there is evidence of such behaviour, the proposed redevelopment of the area seeks to address these problems, by designing out crime. The proposed retail units will have an active street frontage, the link road will act as surveillance to the shops, the shops will overlook the carpark and areas to the service area are well protected. Furthermore the restrictions on hours of use will ensure the amenities of adjacent residents are protected and further reducing the impact of anti social behaviour. Consequently it is considered the proposal will alleviate existing problems by design.

In conclusion it is considered that the proposed units will assist the role of the local centre. The proposed location, scale and design is considered acceptable, as it respects and reinforces the modern architectural merits of the adjacent development. The proposal provides adequate parking facilities and will not prejudice the safety and freeflow of highway users. Consequently it is considered the proposal complies with both local and national planning policies.

RECOMMENDATION: Subject to further highways discussions, and amended elevation details, 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 Landscape design
5. BCustom External lighting details
6. BCustom Highway details
7. BCustom Details of footway link
8. B23 On site construction
9. B24 Mud on road
10. B33 Foul and surface water drainage
11. Bcustom Brownfield discharge rates
12. C12 Landscape implementation hard and soft
13. C18 Access prior to operations
14. C20 Parking loading unloading and turning
15. C38 Development in accordance with plans
16. D11 Hours of work
17. Dcustom Delivery restrictions to be outside of 08:00-09:00 and 15:00-16:00 Monday – Friday

REASON FOR APPROVAL:

The principle of redevelopment on this site has previously been established, and some elements of development have commenced. The proposed location, scale and design are considered acceptable, as it respects and

reinforces the modern architectural merits of the adjacent development. The proposal provides adequate parking facilities and will not prejudice the safety and freeflow of highway users. The proposed design has designed out security and problems which may arise through anti social behaviour. The proposal will not have an adverse effect on surrounding residential amenity or other local centres.

TWC/2011/0212 27 Broomhurst Way, Muxton, Telford, Shropshire, TF2 8RG
Erection of a two storey rear extension including a single storey conservatory, a first floor front extension and alteration of ground floor front window to a bow window.

APPLICANT

Mr & Mrs R Nicholson

RECEIVED

18/03/2011

PARISH

Lilleshall, Donnington and Muxton

WARD

Muxton

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Overdevelopment of the site and detrimental visual impact on the neighbourhood.

THE PROPOSAL:

The erection of a two storey rear extension including a single storey conservatory, a first floor front extension and alteration of ground floor front window to a bow window.

SITE AND SURROUNDINGS:

The property is a detached, 4 bedroom house situated within an established residential area. External materials consist of red facing bricks, concrete roof tiles and rosewood upvc windows. The property sits on a good size plot with a reasonable size rear garden. There is an existing rosewood upvc conservatory to the rear.

There is sufficient parking space to the front of the property. The rear garden is bounded by 2m high timber fencing and looks out to the side elevation of No.7 Sweet Briar Close.

Neighbouring properties are of similar design and proportion. Both neighbouring properties (No.25 and 29) have existing rear conservatories both of which project similar to the one of the applicant's – approximately 3m.

PLANNING HISTORY:

No relevant history.

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies
Policy UD2 – Design Criteria

LDF Core Strategy
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

Lilleshall, Donnington & Muxton Parish Council: Object – ‘overdevelopment of site and the detrimental visual impact on the neighbourhood’.

Highways: Support

Ecology: Support subject to conditions (I25k)

PLANNING CONSIDERATIONS:

The application relates to the erection of a two storey rear extension including a single storey conservatory, a first floor front extension and alteration of ground floor front window to a bow window. The proposed development would provide further ground floor living space and would extend 3 of the 4 first floor bedrooms and bathroom. The existing hipped roof at the rear of the property would become a gable roof to accommodate the proposed development. All external materials proposed will match the existing materials.

The two storey rear extension would project out just over 2m from the rear of the property and would require the demolition of the existing conservatory. Both kitchen and dining room would be extended on the ground floor and upstairs the bathroom and bedrooms 2, 3 and 4 would be generously extended. A larger conservatory will also be erected to the rear along with the repositioning of the rear door and kitchen window. A replacement front lounge window with a bow window will also be installed to the front of the property.

The rear extension would take up just over two thirds of the existing patio area and the proposed new conservatory would then take up a further 2m of the existing rear lawn area. It is considered that although a sizeable amount of rear garden space will be lost, on balance, an adequate garden will remain.

After applying the 45° code, the two storey rear extension complies however the ‘imaginary line’ just clips the conservatory but as this is a single storey conservatory extension which slopes away and as the neighbouring detached property (No.25) is almost 2m from the boundary, it is considered that the impact on this neighbouring property will not be significantly detrimental. The neighbouring property on the other side, No.29, would remain unaffected.

The new bedroom window in the proposed rear extension will be approximately 9m away from the boundary of the property located at the bottom of the garden, (No.7 Sweet Briar Close). This property is side on and there is only a small obscure glazed window in the side elevation and so officers consider there will not be significant issues of overlooking or loss or privacy to this property or garden.

The proposed second storey front bedroom extension is considered to be an acceptable form of development along with the replacement front lounge window. The proposed works to the front of the property will have little if no impact on neighbouring properties and the streetscene.

On balance, the proposed development is considered to be acceptable. Despite a loss of rear garden space, adequate amenity space will remain. There will not be a significant impact on the neighbouring properties by virtue of any undue overlooking or loss of light. The proposed development will not have a significant detrimental impact on residential amenity or on the existing streetscene.

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

Conditions

- A04 Time limit
- C01 Finishing materials to match existing building
- C38 Development in accordance with plan Nos.
- D08 Windows – Obscure Glazing (both first floor en-suite & bathroom windows to remain obscure glazed)

Informatives

- I40 Conditions
- I41 Reasons for Grant of permission
- I25k Bats & Birds

REASON FOR APPROVAL:

The proposed development is considered to be acceptable. Despite a loss of rear garden space, adequate amenity space will remain. There will not be a significant impact on the neighbouring properties by virtue of any undue overlooking or loss of light. The proposed development will not have a significant detrimental impact on residential amenity or on the existing streetscene.

TWC/2011/0230 Dawley Regeneration, Dawley, Telford, Shropshire,
Installation of a 15m high Telecommunications mast with ancillary development

APPLICANT

Orange Personal

RECEIVED

21/03/2011

PARISH

Great Dawley

WARD

Malinslee

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The siting and appearance and visual impact.

THE PROPOSAL:

Installation of a 15m high telecommunications mast with ancillary development, including 6 cabinets (4 cabinets measuring 770x750x1940mm, 1 cabinet measuring 770x750x2000mm and 1 cabinet 770x645x2069mm) with a 1.8m high security fence with a 1.5m wide access gate and three protective bollards, given the location in a service yard.

SITE AND SURROUNDINGS:

The application site is currently, a vacant site, which is undergoing extensive earthworks to treat for contamination and create development platforms for the wider regeneration project. The site is to the north east of the former Lord Hill Public House and approx 40m south of dwellings in Lancaster court.

The approved masterplan for the outline consent indicates that this site is part of the supermarket site in the delivery area, with the new supermarket to the south, and buffer planting on the embankment to the north and west, with parking and planting to the east.

PLANNING HISTORY:

TWC/2010/0036 – Outline planning permission for mixed use development of 35.3 hectares of vacant land at Dawley and Malinslee comprising of a new school and associated pitches, retail units, residential dwellings, nature park, a children’s playground, BMX track, public open space – Granted 12/8/10

TWC/2010/0037 - Full planning application for infrastructure and drainage works for Dawley and Malinslee Regeneration Phase 1 Land of 14.93 hectares. Works comprising earthworks, drainage, a spine road of approximately 0.55km and detailed planting schedule. (This application is submitted further to TWC/2010/0036 an outline application for the Dawley and Malinslee Regeneration site of 35.3 hectares) – approved 28/7/10

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:

Great Dawley Parish Council: Object due to location proximity to a proposed new school and residential home (250 metres) and to residential properties in Lancaster Avenue (25 metres).

Geotechnical: No objection subject to informative I17.

THIRD PARTY REPRESENTATIONS:

One letter of objection on the grounds of health and safety of people living and working in the vicinity of masts.

PLANNING CONSIDERATIONS:

Prior to commencement of the Dawley regeneration works 'Orange' the mobile telephone operator had a mobile base station located on Paddock Mount. For the duration of the works a mobile mast has been erected to the rear of the former Lord Hill Public House to ensure there would be no loss of coverage in the area. This proposal is for a permanent replacement mast on the wider regeneration 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, and sensitively located within this prominent site, given the elevated nature of Paddock Mount.

Its location within the service area for the supermarket with the back drop of the trees buffer to adjacent residential properties and proposed new supermarket building affords sufficient screening to ensure that the structure will not form an incongruous or unduly prominent feature on the skyline or on the street scene. The compound is proposed to be fenced at a height of 1.8m and will include a number of cabinets and ancillary equipment required for a base station. Therefore the overall impact of the installation on the street scene is considered to be acceptable.

As the site is currently under going remodelling to ensure that the works are completed as understood on the lower ground level to be created for the new supermarket, it is considered acceptable to limit the consent not to commence until the ground level have been established.

There is 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 does not provide justification for a Council to refuse an application.

In conclusion, the proposed monopole and ancillary equipment is considered an acceptable installation in this district centre location, 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. 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.

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

1. A04 Time limit
2. B05 Details of materials
3. BCustom Works shall not commence until final finished ground levels have been agreed with LPA.

I17 Minerals Area
I40 Conditions
I41 Reasons for grant of permission

REASON FOR APPROVAL:

The proposed monopole and ancillary equipment is considered an acceptable installation in this district centre location, 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. 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.

TWC/2011/0243

The Wellington Arms, 3 Whitchurch Road, Wellington, Telford, Shropshire, TF1 3AG
Erection of a low rise wall to front of premises to form an alfresco area to front,
installation of a Jumberella with integrated lighting and heaters and erection of a
1.1m high post and chain link fence to side of property

APPLICANT

Punch Taverns,

RECEIVED

05/04/2011

PARISH

Wellington

WARD

College

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Visual impact, residential amenity, highway safety

PROPOSAL:

The application submitted by Punch Taverns seeks to erect a 900mm high rendered block wall to create an area to the front of the premises for outside dining and drinking. This area is to include a shelter comprising a black 3m x4m Jumbrella with integrated heaters. The removal of an existing low wall to the side of the premises and the erection of a 1.1m chain link fence to provide access to the designated smoking area from the rear drinking area.

SITE AND SURROUNDINGS:

The application site is a vacant public house sited on the junction of Whitchurch Road and The Lawns. It is an early 19th Century detached building, that has a long frontage and tiled gable roof; the building is registered as a building of local interest. The front elevation is cream painted brick and facing onto Whitchurch Road, a main thoroughfare of Wellington. A modest timber porch is located centrally on the front elevation, with ornate lion statues either side. The property has a number of architectural features including chimneys, open eaves details, sash windows, and large ground floor windows, with stone cills and brick headers.

There are currently 5no. parking spaces and bollards on the front, additional spaces are also located to the side and rear. In total the site has provision for 26 car parking spaces around the perimeter.

The north side has car parking spaces bounded by high fencing with residential flats (Eagle Court) beyond.

The rear (west) elevation is an irregular shape, bounded by fencing and brick walls with adjacent residential properties. It has a flat roof element and large chimney flue. The finish is a mixture of brick and cream painted brick and rendering. There is a sizeable amount of land to the rear with existing tarmac area. Unfortunately this land looks unkempt due to the premises being closed.

The south side abuts The Lawns which comprises of residential and warehousing/commercial properties. It is bounded by a high brick wall and fencing but parts of the wall and fencing are in a state of disrepair.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 Delivering Sustainable Development

PPS4 Planning for Sustainable Economic Growth

PPG13 Transport

Saved Wrekin Local Plan Policies

UD2 Design Criteria

HE25 Buildings of Local Interest

LDF Core Strategy

CS2 Jobs

CS 5 District and Local Centres in Telford

CS10 Community Facilities

CS15 Urban Design

CONSULTATION RESPONSES:

Wellington Town Council objects on the following grounds:

- proposed location too near to main road;
- potential nuisance to highway users;
- unsuitable location and health hazards for potential users.

Arboricultural: No objection as there are no trees within the red edge, there are trees in adjacent gardens but these are regularly maintained at a low height and will not factor unless the applicants are re-profiling and re-surfacing the car park.

Built Heritage Conservation: Confirm the premises are Locally Listed but outside the Wellington Conservation Area. In principle the proposal will not detrimentally affect the fabric or character of the Local Interest building although there is a need for an alternative to chain link fence.

Highways: have an issue with the number of parking spaces but feel it would be difficult to defend if an appeal was submitted for the following reasons:

- The site is in a sustainable location, close to Wellington town centre with car parks, train station and key bus routes. Customers could walk to the establishment as residential houses close by.
- PPG13 states that applicants are to determine their own parking requirements and that the Local Authority can only apply maximum rather than minimum parking standards when considering the provision

made. A refusal on the grounds of parking shortfall can only really be made if a robust case is put forward by the Authority demonstrating particular road safety issues as a consequence. This would be difficult to prove.

- No recent evidence available to suggest an issue with the existing parking provision and therefore a potential one in the future.

It is therefore suggested that future parking to the rear is provided and existing car parking spaces redesigned.

6 letters of objection have been received from local residents. These raise concerns on the grounds of:

- Noise from musical evenings and use of amplifiers
- Effect on residential properties surrounding public house
- Broken glass being a danger to children and dogs
- Noise and nuisance caused by customers using Jumberella and overspilling of drinkers onto pavement and road, and from drinkers congregating outside particularly late at night and weekends.
- Loss of car parking
- Busy access road to The Maltings attempting to join Whitchurch Road along traffic from public house and local businesses is a potential traffic hazard
- Unsightly installation which will spoil the historic aesthetics of the existing building.
- Become a litter trap
- AI fresco misleading way of saying Smoking Shelter
- Non-smokers having to walk through a smoking area
- External doors propped open during summer months

3 Letters of support from 4 neighbouring properties have also been received from the local area welcoming the development and investments due to take place at the site.

PLANNING CONSIDERATIONS:

The application site includes alterations to a Locally Listed Building located to the far north of Wellington district centre. The proposal involves alterations to assist the business and encourage the reopening of the Public House. Policy CS10 seeks to support existing facilities, and resist the closure of Community Facilities; the proposed alterations conform with this policy.

The proposed alterations involve the change of use of car parking to the front of the Pub to use as an alfresco dining area, in addition to a 0.9m high block wall and the installation of a black Jumberella. This area would fall in line with No 41 Whitchurch road, to the south of the development site, and the fence line of the adjacent building which fronts Crescent Road. Furthermore it should also be noted The Park Public House opposite the Wellington Arms, has a beer garden to the side of the building including a 1.2m high wall and

hedge above, screening the beer garden from the street scene; this boundary treatment abuts the public footpath and is immediately opposite this development site. The principle of the low wall and use for alfresco design is considered acceptable, as it would not have an adverse impact the street scene, the building line, or the character of the area.

The proposed Jumberella whilst a permanent proposal, is a temporary in nature, in that it can be removed easily and is not attached to the fabric of the building; the item is set back from the highway and due to the location of adjacent buildings to the north and south of the site, would not be sited in a prominent location. With regard to the low wall Officers considered a 0.9m boundary treatment is acceptable, however the finished result should respect the front elevation of the public house. Subsequently it is considered further details regarding the materials and finish should be controlled through condition.

The proposed alterations to the side boundary will allow access to the smoking shelter, a canopy over the bay window on the side elevation. This is currently enclosed by a 1.1m high wall. The proposed chain link fence is out of character with the building of local interest, however the principle is considered acceptable, subsequently it is considered this can be amended through condition.

Although Highways have raised an issue with car parking spaces, the level of car parking remains unchanged, and spaces will remain at 26. The site is considered accessible as it abuts Whitchurch Road which is on a bus route and within walking distance of the Town Centre, and the residential community which surrounds it. Consideration is also made to this being external seating areas, and therefore use is naturally limited to fair weather, in addition to this being a public house where customers may not be driving to the facility. There is no change to the vehicle access to the site. As there is no change in internal accommodation, and the level of parking remains the same, it is considered the proposal will not have an adverse impact on highway safety.

The impact on the adjoining three storey high Eagle Court flats needs to be considered as it is sited approximately 20 metres from the development. It appears that the windows in Eagle Court that overlook the site are not main living room windows but kitchen and bathroom windows. There is close boarded fencing and brick pillars along this boundary to provide some privacy at ground floor level. There are concerns from residents in respect of noise but also a letter of support from a resident stating that they have never experienced any problems with loud noise in the eight years that have resided there. A public house opposite the site has given support to the proposal. Other residential properties surrounding the site are not within a distance that would be considered a problem in terms of noise.

The applicant states that there is increased demand for outside dining. They have carefully designed the alfresco dining area to minimise noise break out and impact on amenity and no music will be played outside. This can be

adequately controlled through condition; furthermore hours of use can be restricted.

With regard to other comments raised by objectors, customers will not have to walk through the smoking area, this is sectioned off at the side of the building. The use is already existing, and subsequently it is not considered the proposal will not increase anti social behaviour. With regard to doors being propped open during summer months, this is not a planning consideration, however these could be controlled through fire regulations.

In conclusion the proposal will support the reopening of an existing public house. It will not adversely affect the character of the Locally Listed Building or the area. The proposal will not have a detrimental impact on residential amenity, nor will the proposal have an adverse impact on highway safety. Subsequently it is considered the proposal meets local and national planning policies.

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

1. A4 Time limit full
2. B05 Notwithstanding details of materials
3. C38 Development in accordance with Plans
4. D14 No amplified noise
5. Non Hours of Use of front external area
standard

REASON FOR APPROVAL:

The proposed alterations will not adversely affect the character of the Locally Listed Building or the area. The proposal will not have a detrimental impact on residential amenity, nor will the proposal have an adverse impact on highway safety.

TWC/2011/0249 News Express, Land adjacent, 90 Trench Road, Trench, Telford, Shropshire,
Renewal of extant planning permission W2008/0132 for the erection of a two storey 3 bedroom dwelling with attached garage

APPLICANT

The Midcounties Co-Operative

RECEIVED

31/03/2011

PARISH

Wrockwardine Wood and Trench

WARD

Wrockwardine Wood and Trench

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, design, appearance, access, parking.

THE PROPOSAL:

This application is for the renewal of an extant planning permission (ref: W2008/0132) for the erection of a two storey house on land at the junction of Trench Road and Wombridge Road, in Trench, on what is currently part of the car park of the Stars Convenience Store.

The proposed house would comprise a lounge, kitchen, dining room, hall and cloakroom on the ground floor, and three bedrooms and a bathroom on the first floor. The external materials of the house would comprise traditional bricks and tiles.

There would be an attached garage to the south of the house, with one parking space in front of it. The driveway for the house would be approximately in the same position as the existing access into the car park from Wombridge Road.

A new vehicular access for the shop car park would be provided from Wombridge Road into a smaller car park which would adjoin the existing retail shop. The car park would accommodate six public parking spaces, and one space for the residents of the flat above the shop.

SITE AND SURROUNDINGS:

This piece of land is located in the centre of Trench, at the junction of Trench Road and Wombridge Road, and is at present a large flat tarmac area which is used for car parking for the Stars Convenience Store at 90 Trench Road. There are approximately 20 parking spaces within the car park.

PLANNING HISTORY:

W2008/0132 – Erection of two storey 3-bedroom dwelling - approved

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS 1 –Delivering Sustainable Development
PPS3 – Housing

Saved Wrekin Local Plan Policies
Policy H6 - Windfall sites in Telford and Newport
Policy UD2 – Design Criteria

LDF Core Strategy
Policy CS5 - District and Local Centres in Telford
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

One letter has been received from a local resident stating that the loss of car parking on the site will exacerbate existing parking problems in the area.

The Parish Council objects to the application for the following reasons:

- the development will further congest an already well built up area.
- the access is too close to the very busy junction of Wombridge Road
- the car parking spaces are close to the junction and will cause visibility problems.

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

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

The Council's Ecologist has no objections subject to wildlife informatives.

PLANNING CONSIDERATIONS:

This site is shown as 'white land' on the Wrekin Local Plan where residential development would in principle be acceptable. The site lies within a predominantly residential area within the built-up area of Trench.

It is considered that the site is large enough to accommodate a detached dwelling and that the size of the proposed dwelling is commensurate with the size of the plot.

The design and appearance of the proposed dwelling relates positively to its context, and reflects and respects the existing dwellings in the vicinity of the site. In particular, its design is similar in style and proportions to the dwelling directly opposite the site in Wombridge Road.

The proposed house will not adversely affect the character and appearance of the surrounding area, and will not have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjacent dwellings by virtue of any undue overlooking, loss of light, or any overbearing effect.

It is acknowledged that the existing car park is under-used for most of the time, and the Council's Highways Engineer considers that a future capacity of six spaces is sufficient to accommodate the parking needs of the Stars shop.

The objections which have been received from the Parish Council are similar to the ones they submitted in relation to the previous application. The

Council's Highways Engineer responded to their concerns by making the following comments:

- The new dwelling should create no more than two vehicle movements at a peak hour, which cannot substantiate an objection on the grounds that this would create a problem of congestion at this point.
- It is acknowledged that the new access to the car park for the shop is 14 metres closer to the junction with Trench Road than the current access. However, this is likely to have only limited highway safety implications in that visibility from the access will be good to traffic approaching from all directions. In fact visibility to traffic approaching from the east on Trench Road is increased, resulting in a safer right hand turn out of the proposed access.
- Speeds are low as vehicles decelerate to negotiate the mini-roundabout and there is sufficient turning space within the car park to allow vehicles to exit the car park in a forward gear. In addition, the new access would now be 5 metres in width, with increased kerb radii allowing the passing of two vehicles. This is an increase in highway safety because at present a vehicle wanting to enter the car park has to wait in the highway whilst a vehicle exits the car park.
- A condition can be imposed to ensure that any landscaping is kept to a maximum height of 600mm. This will ensure that visibility at the junction is not compromised. A landscaped addition to the street scene at this corner is an improvement over the current open frontage view of parked vehicles.

The Council's Highways Engineer states that there have been no material changes over the past three years and the comments he made in 2008 still apply today. He reiterates the fact that he has no objections to the application, and that the new dwelling and vehicular access will not jeopardise highway safety.

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

1. A04 Time limit
2. C38 Development in accordance with submitted plans
3. B06 Samples of materials
4. B23 On-site construction
5. B24 Mud on road
6. C04 Reveals
7. C19 Provision of car parking
8. D03 Use of garage
9. D18 Visibility splays

REASON FOR APPROVAL:

The site is shown as 'white land' on the Wrekin Local Plan where residential development would in principle be acceptable. The site lies within a predominantly residential area within the built-up area of Trench.

The development will not be harmful to the residential amenities of nearby dwellings, and the design and appearance of the house will not be

detrimental to the character and appearance of the surrounding area. The new access into the shop car park will have adequate visibility in all directions, and will not jeopardise highway safety.

TWC/2011/0254 23 Queen Street, Wellington, Telford, TF1 1EH
Erection of two storey end terrace, for use as a 5-bed House in Multiple Occupancy

APPLICANT

G Addison

RECEIVED

31/03/2011

PARISH

Wellington

WARD

Haygate

COUNCILLOR R. CHAPLIN HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Scale and design, Character and appearance, Highways issues

THE PROPOSAL:

The application seeks planning permission for the erection of a two storey building attached to No.23 Queen Street, an existing House in Multiple Occupancy (HMO) to create a 5-bed HMO, with communal amenity space to the rear.

SITE AND SURROUNDINGS:

The application site comprises existing amenity space to No.23 Queen Street which is a period terraced property, located within a mixed use area, with residential and commercial premises. The existing property is a 5 bedroom HMO and is located over 3 storeys with box dormer within roof. There is a single storey extension to the rear comprising communal kitchen area. The site also contains a detached garage and driveway to the side of 23 Queen Street.

To the west of the application site are established garden areas to the terraced row of properties which front Bridge Road. The dwellings are located more than 25 metres from the site boundary. To the rear (south) of the site is a narrow public footpath and access to car parking and garages for existing properties with vehicular access from Ten Tree Croft to main road, Bridge Street, adjacent to Smithfield fish and chip restaurant. There are parking restrictions along Queen Street. The site is located within the secondary zone of Wellington District Centre and is close to services and facilities such as Morrisons supermarket on the opposite side of Bridge Street.

PLANNING HISTORY:

W2005/0217 Change of use from private dwelling to office space and construction of new car park at rear of property with vehicular access from Ten Tree Croft, Withdrawn;

W2007/0253 Conversion of existing dwelling house into 5 bedsits and erection of rear dormer window, Full refused on grounds of poor design and inadequate parking provision.

W2007/1291 Conversion of existing dwelling house into 5 bedsits and erection of rear dormer window, Full granted

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
PPS23 Planning and Pollution Control

Saved Wrekin Local Plan Policies
UD2 Design Criteria
H6 Windfall Sites in Telford & Newport
S11 Wellington Secondary Zone

LDF Core Strategy
CS1 Homes
CS5 District and Local Centres
CS15 Urban Design

CONSULTATION RESPONSES:

Wellington Town Council: no objection

Councillor R. Chaplin considers the proposal is overdevelopment and appears to be 3-storey rather than a 2-storey property.

Highways: No highways objection in principle to the HMO given the site's sustainable location within Wellington, close to the railway station, bus station and a number of free car parks. Concern was raised regarding additional parking at the rear with access off Ten Tree Croft, as Ten Tree Croft is very narrow in geometry and has poor visibility with its junction on to Bridge Street. The intensification in use of Ten Tree Croft would therefore not be supported. Following discussion with the Agent, amended plans have been submitted to omit the additional car parking off Ten Tree Croft, and subsequently Highways has no objection

Drainage: No objection subject to Condition B35 (Details of Soakaway test).

Ecology: No objection subject to informatives re: Trenches, Enhancement planting and Bat, bird and invertebrate boxes.

Private Sector Housing: Awaiting comments. If any comments are received, these will be reported in an update to Members of Plans Board.

Shropshire Fire Service: Concerns that the dwelling layout is inappropriate and would not conform to Building Regulations. Accordingly, the means of escape arrangements should be reviewed. In addition, a sprinkler system should be installed.

PLANNING CONSIDERATIONS:

The application site is located within Wellington Secondary Zone, whereby a variety of uses are considered acceptable in order to reinforce the District Centre's viability. In this regard, residential use within Queen Street where there are a variety of mixed uses including residential development is appropriate.

The proposal to create an HMO in this location is considered acceptable in principle given the previous planning permission for conversion of 23 Queen Street to an HMO comprising 5 bedsits in 2007 and the location of the development within Wellington District Centre, within close proximity of a range of services and facilities, including Wellington railway and bus stations.

There will be adequate amenity space for the existing and proposed HMOs and the development will be in keeping with the mixed-use character of Queen Street and the adjacent area. The building's position adjacent to the existing HMO and at the end of extensive garden plots to properties on Bridge Road will ensure that there will not be a detrimental impact on adjoining residential amenities in terms of loss of light, privacy or noise.

The attached building would be located along the same building line as the existing row of terraces with the frontage of the building located directly on to Queen Street. The scale and design of the development is in keeping with the character and appearance of the adjoining property. The building represents a subservient addition, at a slightly lower roof height than the existing property. Whilst the window proportions are smaller and there are more windows on the front and rear elevations than the existing row of terraced properties, the solid to void ratio is appropriate. Therefore, the proposal is considered acceptable in design terms and accords with planning policy.

Following initial adverse highway's comments regarding proposed access and parking arrangements on to Ten Tree Croft (narrow geometry and poor visibility), the proposed parking provision (3 spaces) to the rear of the site has been omitted, and the proposal does not include any onsite parking. Accordingly there are no highway objections to the proposed HMO as the site is located in a sustainable location within the District Centre and close proximity to the railway station and bus station. Thus it is considered that parking provision for the 5 bedsits is not required and its omission will ensure there is no adverse impact on highway safety in terms of additional vehicle movements on to Ten Tree Croft and exiting on to Bridge Street.

Councillor Chaplin's comments are noted; however the site area is substantial and can accommodate the development. The building is of a similar form and scale and represents a subservient addition to the adjoining terrace. Furthermore, the proposal relates to the adjoining property which also comprises HMO accommodation over 3 storeys although it appears as a 2-storey dwelling when viewed from Queen Street. There are other box dormers on properties in the vicinity creating 2nd floor accommodation in the

roofspace. Accordingly, officers consider the proposal is not overdevelopment and the 3 storey element is acceptable.

With regard to the Fire Service's comments, these issues would be dealt with at Building Regulations stage and will therefore be added as an informative if planning permission is granted.

In conclusion, the principle of an attached building comprising an HMO with 5 bedsits is considered acceptable in this highly sustainable location and adjacent to the existing HMO. The scale, design and form of the development are in keeping with the character and appearance of the existing property and the area. The proposal comprises sufficient amenity space and it is acceptable in this instance that there is no parking provision given its sustainable location and proximity to services and public transport. The proposal will not have a detrimental impact on adjoining residential amenities. Accordingly, officers consider the proposal complies with both national and local planning policies.

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

1. A04 Time limit
2. B06 Details of materials
3. B07 Sample brick panel
4. B11 Details of doors and windows
5. B13 Details of enclosure
6. B35 Details of soakaway test
7. B45 Noise insulation of flats
8. C38 Development in accordance with plans

REASON FOR APPROVAL:

The principle of an attached building comprising a House in Multiple Occupation is considered acceptable in this highly sustainable location and adjacent to the existing HMO. The scale, design and form of the development are in keeping with the character and appearance of the existing property and the area. The proposal comprises sufficient amenity space and it is acceptable in this instance that there is no parking provision given its sustainable location and proximity to services and public transport. The proposal will not have a detrimental impact on adjoining residential amenities.

TWC/2011/0261 Land at, Arleston, Telford, Shropshire,
Outline planning permission for the erection of up to 125 dwellings(Use Class C3)
and 50 extra care housing (use classes C2), provision of 2no. new access roads and
associated open space and landscaping.

APPLICANT

Helical (Telford) Ltd

RECEIVED

07/04/2011

PARISH

Wellington

WARD

Arleston

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of Development and green network, highways, trees, ecology, ground conditions and land contamination, drainage and flooding, urban design, landscaping, heritage assets, impacts on neighbouring properties, affordable housing, and noise and air quality.

PROPOSAL:

This is an outline application for residential development on 7.25 hectares of land for up to 125 dwellings (Use Class C3) and 50 extra care units (Use Class C2) with details of two new accesses submitted for consideration at this stage and all other matters reserved for later consideration.

Land use parameters plan is submitted for determination with detailed access drawings. The application is also accompanied by a master plan which illustrates a potential layout of the development.

The plans indicate a mix of uses with an extra care unit, mix of 2, 2.5 & 3 storey residential developments, a LEAP, open space, existing/proposed vegetation and balancing ponds.

There are two vehicular access points to serve the site; the western access is a priority junction to be supplemented by a signalised pedestrian crossing facility. The eastern access is a proposed four arm compact urban roundabout to replace the existing mini roundabout junction between Arleston Lane & Lidgates Green. The design will incorporate pedestrian refuge crossing facilities.

The submission is supplemented by a housing mix plan which demonstrates that the site can accommodate 50 extra care units, 32no. 4 bed dwellings, 79no. 3 bed dwellings and 14no. 2 bed dwellings in a mix of detached, semi-detached and terraced properties. The dwelling mix has been informed by principles of creating distinct areas such as the eastern area of land having a lower density 'village' character with retained landscaping, and the western area having a high density 'urban' character.

The 50 unit extra care facility is the Government's preferred model for care and support accommodation and can be defined as 'purpose' built accommodation in which varying amounts of care and support can be offered

and where services are shared. This particular proposal is designed as self contained accommodation for older people, with a mix of rented, shared ownership and leasehold properties which allows for a flexible approach to care and support to respond to occupants' changing requirements. These facilities contain particular characteristics and concepts to define the provision of extra care, i.e. accommodation with design features and assistive technologies, care packages, catering facilities, 24 hour staff and support, communal facilities and staff facilities.

The proposal is to provide 2.82 hectares of public open space with retained trees, ecology zone, play facilities and drainage attenuation ponds.

SITE AND SURROUNDINGS:

The application site is approximately 7.25 hectares of greenfield land, situated in Arleston, north of the M54 between Dawley Road to the west and Arleston to the east. The land is roughly 'U' shaped around the area known as Arleston Village.

The western part of site is unmanaged grassland, with mature hedge boundaries, largely flat, with a number of informal tracks and walkways. The southern element adjacent to Arleston Manor Grade II* Listed Building is an irregular shape and includes a mature woodland at end of Toll road.

The north eastern element of the site is largely a mound with extensive tree coverage . The south eastern part of the site is an undulating area of land, currently used as a pony paddock with grazing. There is a public footpath which crosses the site from east to west.

The site is predominantly surrounded by residential uses, comprising of detached and semi detached two storey buildings, with the occasional bungalow. There is a factory adjacent to the site, with access road to it and adjacent properties off Dawley Road, which dissects the site. The properties in Arleston Village are generally detached two storey properties set in substantial plots. The dwellings to the south of the development within the setting of Arleston Manor are large detached 'executive' style properties. The Wrekin Retail Park lies beyond that to the east on the opposite side of Arleston Lane. (It should be noted that there is no vehicular access to the retail park from Arleston Lane, but there is a pedestrian link). The M54 is also to the south of the site down an embankment, after the tree lined access road to Arleston Manor. To the east there are two storey detached and semi detached modern properties. To the west is Dawley Road, with wide grass verge and then two storey semi detached dwellings and single storey bungalows. To the north of the site are residential properties largely dominated by semi detached two storey dwellings on long sweeping road and cul-de-sac formations.

Within approx 1600m of the site there are numerous community facilities, including schools, community centres, shops, doctor's, dentist, open space, public houses, restaurants and play facilities. Also within this distance is

Wellington District Centre with bus and rail links and a wide range of additional community facilities.

PLANNING HISTORY:

W79/567 – Outline planning permission residential development – Refused

W90/0031 – Outline planning permission for 257 dwellings – Refused 11th April 90.

W91/1137 – Residential development for about 95 dwellings – Withdrawn June 1992

W91/1138 – Outline planning permission for up to 95 dwellings – Refused January 1993

W91/1161 – Outline planning permission for up to 142 dwellings – refused January 1993.

PLANNING POLICY CONTEXT:

National Planning Policy

PPS 1 Delivering sustainable development and planning and climate change supplement

PPS3 Housing

PPS5: Planning for the Historic Environment

PPS9 Biodiversity and Geological Conservation

PPG13 Transport

PPG17 Open space, sport and regeneration

PPS23 Planning and pollution control

PPG24 Planning and Noise

PPS25 Flood Risk

LDF Core Strategy

CS1 Homes

CS3 Telford

CS9 Accessibility and Social Inclusion

CS11 Open Space

CS12 Natural Environment

CS13 Environmental resources

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

‘Saved’ policies Wrekin Local Plan

EH7 Contaminated Land

EH8 Remedial action on Contaminated Land

EH14 Land stability

UD2 Design Criteria

UD4 Landscape Design

UD5 Public Art

T4 Development Principles

T22 Planning Obligations
OL3 Green Networks
OL4 Development in green network
OL11 Woodland and trees
OL12 open land and landscape contributions from new development
OL13 Maintenance of open space
LR4 Outdoor recreational open space
LR6 Developers contributions to outdoor recreational open space with new residential development
H22 Community facilities
H23 Affordable Housing

CONSULTATION RESPONSES:

Wellington Town Council: Very strong objection to this application on the grounds of: building on Green Network Land; Wildlife and ecological factors; drainage and sewerage issues; traffic flow issues; creeping urbanisation in an area with limited space and pockets of deprivation.

Planning Policy Section (TWC): In terms of Telford & Wrekin Borough, there is currently a five year supply of housing land to meet the RSS phase 2 panel report target and this is demonstrated through the 2010 Annual Monitoring Report. The RSS target is the delivery of 5455 houses over the next five years. Currently there is permission granted for a total of 9068 dwellings within Telford.

The Planning Policy Section OBJECTS to this development proposal due to the overall erosion of green spaces in this locality and the cumulative impact that this might be having on the wider Green Network and the green space needs of the local community. The Policy section also refers to the applicant's contention that other development proposals in the area have been approved on Green Network land and implying that a precedent has been set that development on poor quality Green Network sites in this locality is deemed to be appropriate. The two previous approvals were of a very different nature to this current proposal. There is proposed some compensation for the loss via the retention, improvement and long term management of some of the most significant green spaces left over following the development of the site.

Although there is evidence that the existing green space at the site may not be of a particularly high quality and that it may not be meeting all of the six aims of the Green Network to its full potential, this does not mean that the only way to improve the green space is through development of the site. This should therefore not be given as a reason for approving the development proposal.

If the development proposal were to be approved then much wider green space improvements should be sought in order to ensure that the loss of

Green Network in this location can be compensated. These wider improvements could include additional quantities of green space in the Arleston area to replace those lost on the development site (i.e. 4.43 hectares), and/or improvements to the interconnectivity of the green spaces in the locality to provide some compensation for the gradual fragmentation of the Green Network that has occurred over the last 15 years in the area.

Highways Section: There are no objections on Highway grounds to the above development subject to the following conditions:

1. Access details
2. Layout details
3. Travel Plan
4. Environmental management plan

The above recommendation does not give or imply any approval to the site layout submitted as this is considered to be “illustrative” and does not address concerns relating to integration of the existing vehicular access serving Serchem Ltd into the layout, nor does it fully comply with Manual for Streets guidance in terms of the internal road layout. In addition, no approval should be assumed in respect of the proposed use of porous surfaces and underground storage indicated in the submitted Flood Risk Assessment for areas proposed for adoption as Highway. The works required to create the accesses will need to be secured under a Section 278 agreement (Highways Act 1980) which will also incorporate a £10,000 commuted maintenance sum and a £600 commissioning fee for the new traffic signal controlled pedestrian crossing. A contribution of up to £5,000 is required for the provision of support and monitoring of the Travel Plan. The Environmental Management Plan condition is essential to ensure that construction traffic is restricted to the most appropriate routes and times of day, particularly in relation to the section of Arleston Lane south of the proposed access/roundabout. Depending on the final site layout it may be necessary for a formal diversion of the Public Right of Way to be completed. The Transport Assessment junction capacity studies, based on the illustrative site-split, have demonstrated no significant development traffic impact on the “Bucks Head” junction at peak periods in the future assessment year 2020. I am advised that this junction is relatively up to date in terms of equipment although there are suspected issues of vehicles abusing the southbound bus-gate restriction to avoid Ketley roundabout. The eastern proportion of the site indicated on the illustrative site-split is expected to generate only a small number of additional peak hour trips to/from the south along Arleston Lane and these are not significant enough to justify any concerns. ATC data from 2009 shows average daily two-way flows of around 1200 vehicles along Arleston Lane and, whilst it would be unreasonable to expect existing maintenance issues on Arleston Lane to be

addressed by the development, it is considered that the improved site access roundabout should address any vehicle speed concerns on the approaches.

Drainage Section: The proposals in the Flood Risk Assessment are acceptable in principle however, the following issues should be addressed; full drainage calculations required once layout finalised. Exceedance flow routing plans, these can be covered by conditions. The proposal includes the discharge of surface water to a ditch course within Arleston Village this ditch is culverted under numerous driveways and contains silt and debris, improvement works are necessary to ensure the ditch is capable of receiving the flows from the development it should be desilted and repairs made to any pipe crossings up to its connection with the public sewer, this can be addressed through the Section 106 agreement. Should any attenuation features be for Council adoption, a commuted sum for future maintenance needs to be secured under a Section 106 agreement.

Environment Agency: No objection in principle. The site is identified as being in Flood Zone 1 (low risk of fluvial flooding). The risk of flooding is from pluvial events and surface water runoff. The FRA sets out how the site will balance surface water flows to mitigate risk downstream. The FRA indicates discharge to a local watercourse and local sewers with attenuation for a 1 in 100 year storm event with 30% climate change allowance and freeboard of 300mm. The Council and Severn Trent need to be satisfied with calculations and maintenance and adoption of infrastructure. A buffer zone or stand off distance from the small watercourse through the development should be preserved, with no development within 8m of top of bank of watercourse. The indicative plans indicate that this should not be an issue. Recommend a condition to secure this. Water resources pollution and prevention the Conceptual Site Model and the Quantitative Risk Assessment report concludes that there is no significant adverse environmental risk the agency concurs.

Geotechnical: The site lies in an area potentially affected by shallow mining; therefore shallow mining condition B26 is required. Condition B30 contaminated land is also required.

Environmental Health (Land contamination): Site investigation report has identifies elevated hydrocarbons in a former pond area on the west of the site; further investigation of these ponds is required and can be secured through the standard land contamination condition.

Conservation: No objection to the scheme in principle, the new development does not encroach too closely on the Grade II* Listed Building Arleston Manor. The scheme takes advantage of natural existing screening to create some separation. The future design of the properties should reflect the historic interest and be of a high standard.

English Heritage: No comments the application should be determined in accordance with policy.

Shropshire Council Archaeology: Archaeological remains relating to the medieval settlement of Arleston may survive within the application site. In mitigation of any archaeological impact it is recommended that a programme of archaeological work is conditioned.

Tree Officer: No objection as the majority of the mature specimen trees are to be retained. With regard to the protected Silver Birch Woodland, the original tree report stated that when compared to the TEMPO system for assessing Tree Preservation Order's the order did not confirm or fit into the criteria. Should permission be granted a high level of mitigation planting is required for the loss of the woodland, also once the trees have been removed the subsequent space created will increase the possibility of wind throw trees this will have to be considered with regard to the proposed placement of houses. Recommend Conditions relating to:

1. Arboriculture Implications Assessment
2. Tree Protection Plan
3. Arboriculture method statements
4. Details of service runs, utilities, foul water
5. Landscaping mitigation plans
6. Tree pit/trench details combined with a 5 year post planting maintenance regime.

Planning Ecologist: Objects on the grounds of insufficient information with regards to bats and badgers, to ensure the development does not adversely affect these protected species either directly or indirectly. Bats: not entirely satisfied with the level of bat activity survey undertaken on the site. There was a light but persistent rain during the survey so conditions were not optimum. The major issue in regards to bats is the potential presence of roosts on the site. The mature trees that have been identified as having features that bats could utilise must be surveyed for bat roosts. At present there is insufficient information to establish whether the development will have a negative impact (direct or indirect) on the favourable status of this European protected species. Badgers; the central woodland block containing the badger sett/s is being retained in the final development, but I am concerned that too much of the foraging habitat on site is being destroyed. The grassland to the east of the site has been identified as the best quality foraging habitat for badgers, but the majority if this is being built upon. Mitigation and Management; the mitigation plan refers wetlands and marginal planting, but not their creation. The mitigation measures laid out in the report must be added to the management plan or need covered separately by planning conditions. I also suggest that green roofs could be incorporated into the design scheme.

Shropshire Wildlife Trust: The development will clearly have an ecological impact. The suggestion that gardens can provide badger foraging habitat is questionable, householder's actions to such issues leads to setts being increasingly isolated and unable to support the badger population. The

inclusion of SUD's, bat boxes, treatment of Japanese Knotweed is welcomed but is a minimal response and clearly defined ecological mitigation and management plan is required to ensure the ecological value is maintained and enhanced.

Sustainability: There are some very positive sustainable aspects of the development which stipulates that all housing will be to a minimum Level 3 of the Code for Sustainable Homes and Non residential buildings will achieve BREEAM 'very good' standard. Recommend conditions to secure this level of commitment.

Education: Given the number of type of dwellings the Council will seek a contribution of £162,606 towards primary education facilities in the vicinity of the development.

Shropshire Fire Service: No objection subject to informatives relating to Access for Emergency Fire Service Vehicles, Water Supplies for Fire fighting, and Sprinkler Systems - Residential Premises

West Mercia Constabulary: The illustrative drawing shows four individual areas for development, each may have their own unique/potential crime issues, I therefore offer my services to discuss designing out the crime, CPTED and secure by Design if considered.

Strategic Housing: The provision of an Extra care housing scheme, with a significant affordable housing element, is supported in principle. There is an identified need for this form of provision in Wellington/North Telford. The proposed location of the scheme meets a number of the essential requirements for Extra care housing, although further information will be needed on how residents will be enabled to access essential local facilities and infrastructure Further information will be also required on the delivery mechanism (including funding sources) and timescale for the scheme. Assurance will also be required that the overall costs (including rent and additional charges) to residents of the affordable element (which should ideally be for social rent) will remain affordable

Environmental Health (Pollution control): Comments awaited.

Landscape Architect: Concurs with the statements in the Telford & Wrekin Landscape Sensitivity and Capacity study, which states that the area has medium/low landscape sensitivity and high/medium housing capacity. Despite the area having been designated in the green network, sensitively located housing and landscape proposals, shown in landscape strategy plan would lead to a better quality open space. The area currently has a neglected unmanaged feel. The proposals will lead to a LEAP, a green lung with wetland, reinforced managed woodland and tree lined avenues through housing. From a landscape perspective appropriately managed open space will be an improvement and could be controlled through suitable conditions.

Rights of Way: comments awaited

Parks and Open Space Officer: comments awaited

Severn Trent Water: comments awaited

THIRD PARTY REPRESENTATIONS:

Cllr Angela McClements (Ward Councillor), Strong opposition on the following issues; Arleston is a socially deprived ward with a high percentage of youth unemployment and people on low incomes. Green spaces provide a sense of well being and open space is in short supply in Wellington, the green network should be protected and brown land used for future development. Wildlife survey not undertaken at optimum timings and does not truly reflect the diverse wildlife on the site, including birds, mammals and reptiles. There are already concerns relating to traffic flows and speeds along Arleston Lane and this development will only exacerbate them. Drainage and sewerage there have been recent issues of flooding relating to the stream in Arleston Village. The proposed development is on elevated land and concerned that three ponds are not sufficient to deal with future drainage. The existing main sewer is prone to failure as a result of storm water and blockages. The siting of proposed dwellings within the site will overlook existing properties and tree coverage is not sufficient to mitigate this impact. The planning application represents the creeping urbanisation of an area, which has limited green space and asks for scheme to be refused.

There have been 68 letters of representation received from 42 separate addresses and 5 individuals who did not disclose addresses, these objections can be summarised as follows:

Land Use

- Brown land should be used prior to Green land
- Loss of agricultural land
- Loss of buffer between Wellington and Lawley
- Site is buffer with opencast mine in area
- Proposal hostel would result in exacerbate issue of anti-social behaviour in area

Need

- Need for housing - significant surplus being built with consent in the locality
- Extensive building works in area already

Green Network

- Green network and loss of this space would deprive Arleston of a valuable and appreciated aesthetic and environment asset
- Greenland helps define Telford as a good and healthy place to live. Less spaces will hamper children's learning and development and results in the reduction in law standard of green space in vicinity

Ecology

- Impact on wildlife – Bats, buzzards, Blackcap, Goldcrest, woodpecker, owls, pheasants, mammals and reptiles on site.
- Loss of wildlife associated with loss of trees
- In pure ecological terms site may be of little importance, but site important in local context
- Dispute ecological reports assertion that is of little landscape or ecological value; given the significant number of species found on the site

Open space

- Loss of open space for children's play or dog walking
- Development will result in increased urbanisation and loss of open space, changing character of Arleston
- Ward as amended as little open space, no park or allotment and now proposed removal of green network

Trees

- Loss of trees, many of which are covered by Tree Protection Orders
- Loss of natural established woodland, scrub and grassland
- A aesthetic value of site woodland offers an attractive natural skyline

Services

- Impact on local services, Doctors, Hospital, Police, Fire.
- Local amenities can not support this development, i.e. schools, medical centre

Drainage/Flooding

- Safety elements associated with drainage pools
- Overloading of sewage system, increase pressure in a system which has recently failed and resulted in sewerage in streets.
- Highly variable water levels in Arleston stream resulting in flooding of gardens and houses, proposal will worsen this situation

Highways

- Arleston Lane in poor state of repair
- Increased traffic and infrastructure unable to support increased traffic development
- Arleston Lane currently a 'rat run' and appraisal does not mention poor maintenance and other potential issues caused by future development
- Traffic congestion - create of dangerous junctions and reports under estimate traffic generation by scheme
- Conflict with existing access for factory unit, which has a number of heavy vehicle movements.
- Increased usage of pedestrian link to Wrekin Retail Park will result in use of safe route and increase anti-social issues.

Overlooking and character

- Loss of charm and character of unique Arleston village

- Over bearing nature of 2.5 storeys extra care facility and will have a detrimental visual impact.
- Overlooking of existing properties and loss of privacy
- Adverse impact on daylight particularly from elevated sections of development site

Noise/Disturbance

- Increase noise pollution from M54 due to loss of natural scenery
- Noise, air and traffic issues relating to any construction phase.

Heritage

- The proposal will have a detrimental impact on the nearby Listed Buildings

Ground Issues

- Soil contamination following mining legacy

Other issues

- Results of consultation process have not accurately reported
- Social deprivation
- Local people should have a greater say and we say no
- Detrimental impact on environmental and local community
- Limited amenities within walking distance of site for elderly occupants
- The provision of care facilities is not sufficient to outweigh harm of loss of this open greenland.

KEY ISSUES AND PLANNING CONSIDERATIONS:

Principle of development and the Green network:

The site is designated as green network, as defined in the Wrekin Local Plan. This is a system of interlinked green spaces which is afforded a strong level of protection from development. Saved policies OL3 to OL5 of the Wrekin Local Plan protect sites and links within the network from development, which is not predominantly open land, and does not deliver community or environmental benefits.

The background to the policy explains that land is designated as Green Network because it fulfils one or a number of the six aims, including, inter alia, maintaining Telford's image as an attractive place to live/work, that it retains/enhances individual identity/sense of local community, that it provides easily accessible 'green lungs' that provides variety to densely built up areas, that it provides a supply of open land to meet recreational needs and that it protects ecological /geological heritage. The applicants have assessed the site against the 6 aims of the green network and consider that the site fails to meet these criteria and is unlikely to warrant a protected open space status in any review.

The applicants consider that there is currently only limited use of the site from a public footpath. However, the reality as supported by neighbour comments, is that the site currently has informal open space and recreational uses,

particularly for dog walking and children's play and pony grazing. This level of formal and informal recreational value is to meet one of the aims of the green network, furthermore there are areas within the site which are of high ecological value, and this extensive green area adds to the quality of the environment within Arleston.

Policy OL4 does allow for development in the green network where there are exceptional circumstances, where the proposal contributes or is complementary to the aims of the green network and has environmental and community benefits as an integral part of the proposal. Environmental benefits include the creation of new habitats, improvement or management of habitats and landscaping/ landscape enhancement. Community benefits can include community/recreational facilities, access/cycle/bridleway improvements, enhancing public transport provision etc. The Local Plan goes on to expand the range of uses that could be treated as exceptions. These would be predominantly open land uses e.g. nurseries, renewable energy, composting schemes.

In relation to the 'exceptional circumstances' element identified in Policy OL4 of the Local Plan, the applicants contend that the lack of a five year land supply, the need for extra care and affordable housing and lack of a green network review should reasonably be considered as constituting exceptional circumstances that would allow for development of the site.

The Local Planning Authority does not entirely concur with this view. The Annual Monitoring Review states that the RSS target is for the delivery of 5455 houses over the next five years. Currently there is permission granted for a total of 9068 dwellings within Telford, which more than adequately addresses the supply issue. It is appreciated that there is a need for affordable housing and extra care facilities but such provision will need to be balanced against other factors and cannot be considered overriding. The lack of a review of the green network is not sufficient to discount the designation; rather, however, it is important to assess the site against the aims. This exercise has been undertaken and it is acknowledged that the site is considered to meet a number of these aims.

In relation to the second element identified in Policy OL4 that makes allowance for development to be permitted where community and environmental benefits are an integral part of the proposal, the applicants contend that currently enclosed/private land will be brought into community/recreational use and ecological/biodiversity interest will be enhanced. The applicants propose to set up a private management agreement to ensure that the quality and appearance of the proposed green space after development will be maintained in perpetuity. This will offer some compensation for the loss of Green Network land and with agreement to ensure that the green space is maintained and accessible for the wider public in perpetuity; this element broadly meets the requirements of Wrekin Local Plan Policy OL13. However, further commentary on ecology is included later in this report, which includes an objection from the Council's Planning Ecologist.

PPG17 (paragraph 10) states that 'existing open space... should not be built on unless an assessment has been undertaken which has clearly shown the open space... to be surplus to requirements'. The Council's PPG17 Assessment (2008) identifies this site as Natural and Semi Natural green space, of which there is a large deficiency (62.62 hectares) in North West Telford. The assessment recommends protecting all natural and semi natural spaces from development, striving to improve their quality, maximising their biodiversity through the implementation of effective management and maintenance regimes, increasing their access, monitoring the impact of recreational use to ensure that this is balanced with biodiversity, and linking natural and semi natural spaces to other types of local open space through a network of accessible green corridors. Given this, it is your officer's view that the proposal fails to meet PPG17 and that protection of this site is important in the context of the existing resource available to the community within this part of Telford.

Landscape and Visual Amenity

The applicants contend that the site is of low/medium landscape sensitivity and high/medium housing capacity and is confirmed in the Telford and Wrekin Landscape Sensitivity and capacity study. From a landscape perspective, sensitively located housing, along with landscape proposals which would lead to a better quality retained open space and inclusion of new features such as a LEAP and wet lands, would not be considered to have a detrimental impact on the visual landscape amenity of the area. Whilst officers acknowledge that the proposal has potential to offer significant enhancements to parts of the site as retained as an exception to policy OL4, it is considered that this element is not sufficient to outweigh or compensate for the loss of 60% of the green network and the loss of semi natural and natural land, and the proposal is therefore considered to be contrary to policy OL4 and aims of PPG17.

Trees:

The site has a number of trees, there is mature woodland at the centre of the site, where the trees are protected and there is silver birch woodland to the east of the site, which is covered by the group protection order. The Arboricultural Officer has assessed the silver birch woodland and considers that these trees do not fit the criteria for protection and has no objection in principle to the loss of some of these trees subject to a high level of mitigation planting and future management, which can be secured through conditions. The layout identified that the centre woodland is to be retained and managed. The visual appearance and future ecological benefits of all the woodland has been subject to concerns raised by local residents.

Whilst it is considered in isolation that the trees do not meet protection requirements, the wider consideration of the setting, potential for bat roosts and ecological enhancement, do not appear to have been adequately addressed and considered and loss of this woodland should be resisted on grounds, that this woodland is intrinsic to the semi-natural and natural

character of the land as identified and considered for protected in accordance with PPG17.

Ecology:

The application is supported by an ecological appraisal, which has identified that there is badger activity in the central woodland area of the site, the main foraging area for the badgers in the horse paddock area of the site. The applicants assert that the development will not significantly impact on foraging habitat, as the proposed garden areas can be used for this purpose. The Councils Ecologist and Shropshire Wildlife Trust have both raised concerns that the development will destroy the best quality habitat for badger foraging, and have an affect on the connectivity of the site and could result in an isolation or loss of the badger population in this location.

The report has also failed to consider bats sufficiently. The site has potential for roosts within certain trees, but the survey has not identified if/where such trees are. This lack of information is insufficient to establish whether the development will have a negative direct or indirect impact on the favourable conservation statue of this European protected species.

It is considered that the lack of supporting information to ensure the development will not have a direct or indirect impact on protected species is contrary to guidance in PPS9. Given this lack of evidence little weight can be given the applicants argument in relation to improvement and management of habitats as an environmental benefit as an exception to the green network policy OL4.

Open space and play facilities:

The proposed development will lead to a loss of informal play space and create a demand for formal play facilities. Based on the indicative mix of development, the scheme will generate in excess of 200 child bed spaces. Policy LR6 sets out these requirements for a Neighbourhood equipped play area (NEAP), which incorporates a children's play area with approx 8 pieces of equipment including a youth shelter and other seating, an area of kick about space or hard surfaced area for ball games and wheeled sports facilities, and should incorporate a 30m buffer from the activity zone to adjacent dwellings.

The development layout indicated the provision of a LEAP (Local Equipped Area for Play) and pre-application discussions have considered that a commuted sum to improve facilities at the nearby Windsor Road NEAP could be sufficient to address the demand created by the proposal. This is to be agreed through a Section 106 agreement.

Highways:

The application has been supported by a Transport Assessment. Third party representations have raised a number of issues with regards to the level of additional traffic the site would generate, concerns with Arleston Lane, traffic speeds, condition of road and congestion at junctions.

The Local Highways Authority is satisfied that the submitted information demonstrates that the development will not have an adverse impact on the local highway network, subject to conditions. The junction capacity studies demonstrate no significant development traffic implication on the 'Bucks Head' junction at peak periods, factoring in a future assessment until 2020.

Furthermore, the equipment at this junction is up to date. The new access on Arleston Lane based on the areas for development is expected to generate only a small number of additional peak hour trips south along Arleston Lane, and these levels are not significant to justify any reason for concern. Whilst it is reasonable that major developments which have impacts on the highway network compensate for this, it is not the purpose of planning obligations to remedy existing deficiencies. A Section 106 agreement is however required for the maintenance of the new junctions created by the development of £10,000, £600 for a new signal controlled pedestrian crossing and £5,000 for the support and monitoring of the travel plan in association with the extra care, as a direct impact of the development. It should be noted that whilst the access points into the site are acceptable there are concerns relating to the internal highway networks as shown on the indicative masterplan, as it does not fully comply with Manual for Streets guidance and relating to integration of the existing vehicular access serving Serchem Ltd into the layout.

There are no officer concerns in relation to the highway considerations detailed in this report.

Drainage and Flooding:

The application has been supported by a Flood Risk Assessment, which confirms that the site is in Flood Zone 1 with low risk of flooding as confirmed by the Environment Agency and the Council's Drainage Engineer. The risk of flooding is from pluvial events and surface water runoff and is therefore considered acceptable. The proposal includes the discharge of surface water to a ditch course within Arleston Village this ditch is culverted under numerous driveways and contains silt and debris, improvement works are necessary to ensure the ditch is capable of receiving the flows from the development it should be desilted and repairs made to any pipe crossings up to its connection with the public sewer. Since these works are on third party land, further works and investigation of the strategy are required to ensure that drainage into this watercourse can occur, as no other alternative has been suggested. A buffer zone or stand off distance from the small watercourse through the development should be preserved, with no development within 8m of top of bank of watercourse; this can be achieved through a condition.

Heritage and Archaeological issues:

Archaeological remains relating to the medieval settlement of Arleston may survive within the application site. An archaeological assessment has been undertaken and it is considered that there are no remains present, so there are no archaeological constraints to development on site.

Arleston Manor adjacent to the site is Grade II* Listed building, and there are three other Grade II Listed Buildings within Arleston Village. The manor house is set down and well screened by existing vegetation; the setting of the

building has been affected by the development of 14 dwellings within the grounds of the property. This proposal seeks to maintain the significant mature wooded area which maintains a physical separation between the proposal and the Manor building. The Council's Conservation Officer considers that this layout is acceptable to preserve the setting of all the listed buildings; however the quality of the proposed built environment would need to respond to the character of the building with high quality design to accord with guidance in PPS5.

Officers consider that technical issues relating to Conservation and Archaeology have been sufficiently addressed and if development is acceptable in principle, conditions could adequately control the issues raised.

Geotechnical Issues

The site has a legacy of mining history which has been investigated. There is still potential of shallow mining issues however this can be mitigated through a condition. There are two historical ponds on site which have been filled and have potential for contamination and will require further testing to see if there needs to be further mitigation to protect human health. This issue can be resolved through conditions.

Officers consider that technical issues relating to ground conditions including land contamination have been sufficiently addressed and if development is acceptable in principle, conditions could adequately control the issues raised.

Air Quality and Noise

The application is supported by a noise assessment which states that the majority of the site is within NEC category B – Where noise should be taken into account when determining planning applications and where appropriate, conditions impose to ensure an adequate level of protection against noise. However, part of the site is NEC category C, where planning permission should normally be granted. Where it is considered that permission should be given for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise. The dominant sources of noise in the area are associated with traffic passing along the M54 to the south of the site and Dawley Road to the west.

The analysis of the data shows that two testing points had NEC Category D ratings (where planning permission would normally be refused) during daytime measurement. These points are adjacent to Dawley Road. The report states that the development zone adjacent to Dawley Road can have noise impacts mitigated through sound installation. The Council's Environmental Health Officer concurs that such measures would adequately mitigate noise impacts inside the dwellings; however there is no detail of measure to ensure that garden spaces would have adequate protection from these noise sources.

Officers consider that the supporting information and proposed mitigation fails to adequately address the issue of noise impacts all of the land zoned for

residential use on the parameters plans and as such fails to comply with guidance in PPG24, which seeks to preserve amenity for future residents.

The issue of noise, air and traffic pollution in relation to the construction phase of the development has been raised as an objection to the proposal. Whilst this is a legitimate concern as construction can be disruptive to amenities, this can be adequately mitigated through conditions to control issues such as hours of operation location of compounds, access routes, road cleaning etc.

Comments are awaited with regards to air quality.

Mix of development and Affordable Housing

The development is proposed as a mix of residential development with varying sized accommodation to reflect the housing need for the locality. The proposal also includes a 50 bed extra care facility. This is not a hostel, as a concern raised by neighbours but is a housing scheme to assist older people to remain active and have independent living; it offers a range of facilities and services to assist in this aim. This element of the proposal would include a mix of 1 and 2 bed self contained units of accommodation with a mix of rented, shared ownership and leasehold occupation. The additional facilities particular to this kind of development includes communal lounge and kitchen/catering facilities, pampering facilities, treatment and changing facilities and staff facilities. All residents would be required to have some level of care package to support living, which will be determined on individual needs of occupants. The communal facilities of such development would be available for use by the wider community, i.e. the restaurant

The provision of an extra care housing scheme, with a significant affordable housing element, is supported in principle by the Strategic Housing Officer, as there is an identified need for this form of provision in Wellington/North Telford. The proposed location of the scheme meets a number of the essential requirements for Extra Care housing, although further information will be needed on how residents will be able to access essential local facilities and infrastructure is required. Further information is also required on the delivery mechanism (including funding sources) and timescale for the scheme, although this could be secured through appropriate conditions. The affordable housing element of the extra care should largely be for social rent as opposed to a 50/50 split between social rent and shared ownership to meet local requirements.

In terms of what we would describe as a more 'traditional' affordable housing package, seven units are proposed. This, coupled with the thirty units from the 50 bed Extra Care scheme, in the view of the applicants represents 30% of the 125 dwellings proposed. This element of the proposal can be secured through a Section 106 agreement. Your officers recognise that the 50 bed Care Home is a needed facility in this area of the Borough. In terms of strict financial viability of the overall scheme, your officers consider that the seven units plus 30 would be reasonable. On balance, it is considered that the housing and extra care mix is acceptable.

Design Principles

As the application is outline, with no matters submitted for consideration, only the issue of the principles of design can be considered at this stage.

The master plan submitted with the application demonstrates that the site can adequately accommodate 125 dwellings. There is a mix of development proposed, ranging from 2 to 4 bedroomed dwellings and a 50 bed extra care facility to a maximum of three storey height.

The dwellings are grouped in character areas responding to the movement and landscape strategies. The first two character areas are located to the north west of the site, which is higher density to respond to the adjacent context of properties adjacent to the site in Kingsland etc. and will have terraces and small frontage to ensure continuity and enclosure of public spaces.

The south west of the site is lower density and the character changes for semi formal, suburban form which responds to the topography and shape of land. The north east area of the site has a similar density to the south west however, given the changing topography the character changes to informal rural form to reflect Arleston village.

It is considered that the proposed development as defined in the master plan and design and access statement generally respects and responds positively to the context and could depending on details provide a high quality and distinctive area. The development has a mix of build form and hard and soft landscaping elements which respects and integrates with the topography of the site whilst preserving local historical features. Whilst the Highways Engineer has reservation with regards to the internal layout in terms of complying with Manual for Streets the proposal will exploit permeability of the site and maximises links thought the site to the surrounding area. It is therefore considered that the design principles accord with policies UD2 of the Wrekin Local Plan and CS15 Urban design. Accordingly, it is considered that sufficient attention has been given to the development proposal from a design perspective

The proposed development includes positive sustainable aspects in terms of Level of 3 of the code for sustainable homes and BREEAM very good for the extra care facility. This level of commitment to sustainable development can be secured through conditions and officers consider this would be beneficial to achieve.

Neighbour representations have raised concerns relation to the impact of the development on existing development, which surrounds the development. In particular with regard to the elevated element of the eastern part of the site resulting in overlooking and loss of privacy. Whilst there are no details at this stage of proposed ground levels and layout of dwellings, it is consider that the separation distances from the residential development zones in conjunction with the screen planting to be retained and enhanced would be sufficient to

ensure the proposed development would not adversely impact on the amenities and accords with principle in PPS1.

Planning obligations

The development as proposed would have a direct impact on local services in the vicinity; these can be mitigated and compensated through planning obligations. The scale and nature of this development requires the following contributions:

- Highways
 - £10,000 maintenance of new junction
 - £600 new traffic signal controlled pedestrian crossing
 - £5000 support/monitoring of Travel Plan for Extra Care facility
- Education
 - £162,606 for primary education provision in local vicinity
- Public Art
 - £10,000 for commission and erection either on site in local vicinity

Section 106 and conditions monitoring - £10,000

Open space and play facilities - provision of a NEAP on site, or an on site LEAP and commuted sum for improvements to nearest NEAP at Windsor Road, Arleston.

Affordable Housing – policy target of 35% for the residential units.

Whilst the applicants are aware that the development will require a planning obligations, these are still under discussion and at this time there is no agreement to the above requirements. It is hoped that the applicants will provide their planning obligations package in time for Plans Board and an update will be provided at the meeting.

Other issues

Third party representations have raised concerns relating to the need for such development given the large number of sites with planning permission in the local vicinity. The Local Planning Authority can not consider the need for development or suggest alternative locations for development other than in zoning within the Local Plan but must consider each application on its own merits with regards to the relevant planning policies and other material considerations.

CONCLUSIONS:

The applicants consider that the proposed development will retain 40% of the site as open space and undeveloped land and include environmental improvements with enhancements to allow the creation of community uses and access with new footpath and cycleway link, creation of formal recreational facilities, enhancement and protection of ecological habitats and management of woodlands and other open space. The proposal also offers community benefits with the creation of an extra care facility, provision of affordable housing, highways improvements, contributions for educational

purposes, accessibility to heritage assets and creation of jobs through construction and operation of the extra care facility.

Officers acknowledge that certain elements of the scheme will have benefits such as the extra care facilities to meet demands of the local area and enhancement to the retained open land through management. However, with regard to ecology protection and benefits, these assertions have not been sufficiently addressed and appropriate evidence provided. Furthermore, some of the applicants' considered 'benefits' of the site are actually mitigation for the impact of the development on existing services and facilities, i.e. education and highways. It is the view of your officers that the level of commitment is not in excess of policy requirements and these issues are not sufficient to outweigh the harm of the proposal on the green network.

This site has an important role as a site of natural and semi natural character. Such resource is considered to be deficient in this part of Telford. Given that the proposal represents an overall erosion of green spaces, it is considered that the development would have a cumulative detrimental impact on the wider green network through the loss and fragmentation of this land. Overall, the benefits of the proposal are not considered sufficient to outweigh the harm and accordingly, the proposal is contrary to policy OL4 and guidance in PPG17.

The applicant considers that there is a need for housing land within the area and contest the ability of the Council to provide a 5 year land supply. The Local Planning Authority considers that the 2010 Annual Monitoring review is robust and demonstrates that there is a supply of 9068 dwellings, which is in excess of 5455 required by the RSS.

The proposed development includes an extra care facility of 50 units, which would assist in meeting the Council's target to provide 500 units. Of these units 30 would be affordable units with a mix of size and tenure. Clearly there is a demand for such facilities. Your officers are not entirely convinced that the proposal is located in a sustainable location and the applicants have failed to demonstrate how this can be mitigated. However officers are satisfied that on the basis of viability, the provision of seven affordable homes together with 30 "affordable" Extra Care units is reasonable.

Technical issues such as highways, flooding and drainage, heritage, archaeology and ground conditions have been satisfactorily addressed and can be mitigated through conditions and planning obligations. The development will have an impact on services such as play facilities public art and education which has been acknowledged by the applicant and there is on going discussions in relation to the levels of these contributions.

There are outstanding technical issues which have not been satisfactorily addressed in terms of ecology, trees and noise. The supporting information is insufficient to ensure that the proposed development will not adversely impact on protected species through loss of habitat and amenities of future occupiers in relation to noise impacts from the M54 and Dawley Road.

There are good aspects to the proposal as described in this report. However, on balance the loss of Green Network and open space together with the lack of sufficient detail accompanying ecology submissions and the lack of noise mitigation is not sufficient to off-set national and Local Policies.

RECOMMENDATION: REFUSAL on the following grounds:

1. The site is located within the Green Network as defined in the Wrekin Local Plan. In the opinion of the Local Planning Authority, the proposal has failed to demonstrate that there are exceptional circumstances for development. The proposed development does not contribute or complement the aims of the green network, and the environmental and community benefits are not sufficient to outweigh the harm of the development, which would have a significant affect on the green network, as it is not compatible with the long terms aims and functions. Furthermore the proposal fails to demonstrate that the ecologically sensitive areas will not be adversely affected. Accordingly, the proposal is considered contrary to 'saved' policies OL3 and OL4 of the Wrekin Local Plan and CS11 of the LDF Core Strategy.
2. The site represents an important natural and semi natural open space which provides significant biodiversity and amenity interest and connectivity to the wider area. The Council has undertaken an assessment of the site in accordance with PPG17 and identified that the site represents an important open space facility in the context of North West Telford, which is generally deficient of such resources. The Local Planning Authority considers that the loss of this area of natural and semi-natural amenity space would have a deleterious impact on the local community and accordingly is contrary to national planning guidance PPG17 Planning for Open Space, Sport and Recreation.
3. The Local Planning Authority considers that the supporting information has insufficient detail to demonstrate that the development will not adversely impact on protected species. Accordingly, the proposal is contrary to national guidance in PPS9 Biodiversity and Geological Conservation.
4. The Local Planning Authority considers that the supporting information with regards to the noise assessment has insufficient detail and mitigation to demonstrate that housing development can be accommodated in accordance with the parameters plan and have regard to the noise generating areas as identified in the report. Accordingly, the proposal is contrary to guidance in PPG24 Planning and Noise.

TWC/2011/0302 Telford & Wrekin Register Office, The Beeches, 29 Vineyard Road, Wellington, Telford, Shropshire, TF1 1HB
Conversion of existing registry office (Use Class B1) to form 2no 2-bed dwelling houses (Use class C3).

APPLICANT

Estates & Investments, Matthew Haynes

RECEIVED

14/04/2011

PARISH

Wellington

WARD

Haygate

OBJECTIONS RECEIVED: YES

MAIN ISSUES: Design, impact on residential amenity, highway safety

THE PROPOSAL:

This is a Council application which seeks consent for the conversion of the existing registry office (B1) to conversion to two dwelling houses (C3). The registrar's office will be relocated to the new Wellington Civic Centre upon completion in autumn 2011.

There are minor external alterations which include the creation of two doors and one window; a number of blocked windows will be reopened.

SITE AND SURROUNDINGS

The building is a late 19th Century gable property, located on a prominent corner location of Vineyard Road and Bridge Road. It is traditional in form, being of brick and pitched roof construction; details include sash windows, stone cills and lintels, some revival framed windows, a number of chimneys. A prominent valley gabled elevation abuts Vineyard Road.

The property is not listed, nor recognized on the local list. Furthermore the unit is not within the conservation area.

A 1m wall acts as the boundary adjacent to Vineyard road, these increases to approximately 1.5m in height as the ground level falls adjacent to Bridge Road, and is topped by 0.3m high green railings. The access to the registry office punctures this wall to the west of the site allowing vehicle access to Bridge Road. Off road parking is located within the site. A number of mature trees are located on the western and southern perimeter of the site, screening the side elevation from Bridge Road.

The building is located on the periphery of a residential area, to the north and east of the sites boundaries. To the far west Morison's Supermarket is situated, accessed from the adjacent roundabout. A pet store and associated parking facilities adjoin the southern boundary. The property is within walking distance of Wellington Town Centre.

HISTORY

W81/0723 – Change of use form residential to office use. Full Granted

October 1981.

W86/0282 – Removal of Condition 3, for personal Benefit Only. Full Granted June 1986.

POLICIES

Telford & Wrekin Core Strategy DPD 2007

CS1 Homes

CS5 District and Local Centers in Telford

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS15 Urban Design

Wrekin Local Plan 1995-2006 (Saved Policies)

UD2 Urban Design Criteria

H6 Windfall Sites in Telford & Newport

S11 Wellington Secondary Zone

PPS1 Delivering Sustainable Development

PPS3 Housing

PPG13 Transport

CONSULTATION

Highways: No objections

Arboriculture/ Environmental Maintenance: Awaiting comments

Built Heritage: Awaiting comments

Shropshire Fire Service have raised no objection

Wellington Town Council has raised no objection to the development.

No representations have been received from neighbouring properties.

PLANNING CONSIDERATIONS

The application site is located within the defined boundary of Wellington District Centre, and allocated as Wellington Secondary Zone. Within this area ground floor uses for housing are considered appropriate subject to the size, design, and overall impact on environmental quality. The development site is located on the periphery of the defined district boundary where a mixture of uses sit comfortably together, filtering into the wider residential areas to the north. The retail unit to the south is a specialist pet store, situated some distance from the house; it is considered that this use will not have a detrimental impact on the amenities of the proposed residents; additionally the only other use which adjoins the site is residential. Subsequently the proposed principle is considered acceptable.

The building was originally erected as one dwelling, being converted in the early 80's; subsequently it is considered the proposed use can easily be accommodated within the existing structure, without adversely effect the

character of this traditional property. Furthermore the property will benefit from the reopening of some windows, restoring the building to its former glory. As the property has only been subject to some limited alterations, and the architectural merit of the building, consideration is being made to place this on the Councils Local List, as a building of local interest. Subsequently it is considered this building should be protected from future development by the removal of permitted development rights, allowing the authority to oversee any future development on the site, to ensure it respects and reinforces the character and architectural merits of the building.

The property will be subdivided vertically creating a semidetached property along the valley of the gable apexes facing Vineyard Road. The proposal will subdivide the rear amenity in a traditional form creating amenity area to both properties which is similar to the areas of adjacent properties. Subsequently there is sufficient amenity area, and the residential amenity will not be prejudiced by overlooking.

Access to the proposed unit will utilize the existing access points from Bridge Road and Vineyard Road, allowing off street parking within these areas of private amenity. Taking account of the exiting use, and the number of vehicle movements each day it is considered the proposal will not have an adverse impact on the safety or free flow of traffic.

Landscaping of the site will only be effected by the installation of a fence, subdividing the tow amenity areas. No further works will take place, and the adjacent trees will not be affected. This is considered acceptable.

In conclusion it is considered that the restoration of the existing building to a residential use is acceptable; the proposed subdivision to form semidetached units can be adequately accommodated within the existing building and the curtilage of the site, providing adequate amenity area, and parking facilities. The proposal will not be overlooked or adversely affected by adjacent uses. Subsequently the proposed alterations comply with both local and national planning policy.

RECOMMENDATION: GRANT FULL PLANNING consent subject to the following conditions:

1. A04 Time limit
2. B13 Details of enclosure
3. C01 Materials in accordance with details
4. C38 Development in accordance with plans
5. D01 Removal of permitted development rights

REASON FOR APPROVAL:

The principle of residential use is acceptable within Wellington Secondary Zone. The proposed use will respectfully reinstate the buildings previous use, whilst subdividing to create sufficient amenity area and parking facilities to cater for both properties. The proposed residential amenities will not be adversely affected by adjacent uses, nor will the proposal adversely affect the

existing residential amenities. The proposal will not prejudice the safety or free flow of highway users.