

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 5 October 2011 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors K R Guy (Vice-Chair in the Chair), N A Dugmore, A S Jhavar, R T Kiernan, J Loveridge, A A Meredith, S A W Reynolds and C R Turley

**ALSO PRESENT:** Councillor S Davies (for planning application TWC/2011/0734) and Councillor I T W Fletcher (for planning application TWC/2011/0376)

#### **PB-042      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on 14 September 2011 be confirmed and signed by the Chairman.

#### **PB-043      APOLOGIES FOR ABSENCE**

Councillor J C Minor.

#### **PB-044      DECLARATIONS OF INTEREST**

Councillor A A Meredith declared his predetermination in respect of planning applications TWC/2011/0572 and TWC/2011/0573 and indicated that he would leave the room during determination thereof.

#### **PB-045      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PB-046      SITE VISITS**

The Development Control Manager advised Members that as applications relating to developments in connection with the Building Schools for the Future programme were scheduled for consideration at forthcoming meetings of the Plans Board it would be prudent to undertake site visits at those locations.

**RESOLVED** – that planning applications TWC/2011/0572 and TWC/2011/0573 (4 Chetwynd End, Newport, TF10 7JE) be deferred for a site visit to take place on 26 October 2011 commencing at 2.30pm followed by site visits at Newport Girls High School, Mount Gilbert School and High Street, Dawley.

#### **PB-047      PLANNING APPLICATIONS FOR DETERMINATION**

Members had received a schedule of planning applications to be determined by the Board and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2011/0334, TWC/2011/0376, TWC/2011/0572, TWC/2011/0667 and W2008/0934.

(a) TWC/2011/0334 Former Newport Business Park, Audley Road, Newport, Shropshire, TF10 7DP

This was an application for the erection of 61 residential units on the former Newport Business Park and Hanson's concrete mixing plant. The scheme was predominantly 2 storey save for 6 dwellings that were 2½ storeys with accommodation in the roof space. The scheme comprised 14no x 2 bed houses, 25no x 3 bed houses, 16no x 4 bed houses and 6no x 2 bed flats, resulting in a density of approx 40 dwellings per hectare. The scheme proposed 15% affordable housing which equated to 9 units. Members were reminded that outline planning permission had been granted in 2009 subject to a Section 106 Agreement which had not been signed, hence planning permission had not been granted. The current application was not greatly dissimilar from the outline application.

Mr A Sheldon spoke on behalf of the applicant, Shropshire Homes Limited, in favour of the application, addressing the financial viability appraisal relating to the policy requirement for affordable housing.

Members sought clarification regarding the highways improvements and drainage and expressed disappointment at the reduced level of affordable housing. It was clarified that, if the proposals had not been started within 3 years, the education contribution amount (currently nil) under the Section 106 agreement would need to be reviewed.

**RESOLVED** – that with regard to planning application TWC/2011/0334 the Head of Housing & Planning be authorised to grant planning permission subject to the applicants entering into a Section 106 Agreement relating to the provision of 15% affordable housing, £45,000 for new off-site LEAP, £15,000 for improvements to Shukers playing fields, £27,000 towards physical works for Safe Routes to School and a provision to the effect that that if, after 3 years, the development has not been commenced, the Education contribution is reviewed and further subject to the conditions as set out in the report, and any other conditions including those relating to noise that the Head of Housing and Planning considers necessary.

(b) TWC/2011/0376 Granville Lodge, Church Street, St Georges, Telford, Shropshire, TF2 9LX

This application sought planning permission for the conversion of the existing Coach House into 1no. dwelling. The application had been amended to include a parking space for the converted unit and the provision of 9 parking spaces for the existing flats in Granville Lodge and bin storage. Councillor I T W Fletcher, Ward Member, had requested that the application be determined by the Plans Board. The application had been deferred at the last Board meeting to enable Members to undertake a site visit.

Councillor I T W Fletcher, Ward Member, spoke against the application predominantly focussing on highways and parking issues.

Mr C Huntley, the Applicant's Agent, spoke in support of the application particularly addressing objections raised by neighbours during consultation.

Members considered that the proposed parking provision was adequate and that the proposals would result in a positive impact upon the character and appearance of the building and the locality.

**RESOLVED – that with respect to planning application TWC/2011/0376 planning permission be granted subject to the conditions as set out in the report.**

(c) TWC/2011/0574 189 & 191 Trench Road, Trench, Telford, Shropshire, TF2 7DU

This was a retrospective application for the erection of a two storey rear extension.

Wrockwardine Wood and Trench Parish Council had requested that the application be determined by the Plans Board.

The application had been deferred at the last Board meeting to enable Members to undertake a site visit.

Although the Board Members were disappointed that the building had not been built in accordance with previously submitted and approved plans, they considered that, subject to the first floor window being blocked up, the application was acceptable.

**RESOLVED – that with respect to planning application TWC/2011/0574 planning permission be granted subject to the conditions as set out in the report and an additional condition relating to the blocking up of the first floor window within three months.**

(d) TWC/2011/0667 Wellington Health Centre, Chapel Lane, Wellington, Telford, TF1 1PZ

This was an application which sought planning permission for the change of use of the existing Wellington Medical Practice (D1 use class) to mixed use of medical centre and retail pharmacy (D1 and A1 use classes). Councillor R J Sloan, adjacent Ward Member, and Wellington Town Council had requested that the application be determined by the Plans Board.

Councillor R Aveley, on behalf of Wellington Town Council, spoke against the application particularly referring to the Wrekin Local Plan section 9 paragraphs 5.3.19 and 5.3.23 and stressed the detrimental impact that the proposals would have on the vitality and viability of Wellington District Centre which would result in the displacement of jobs as opposed to job creation. Councillor Aveley also considered that the application site could not be adequately policed and that the loss of consulting rooms would be detrimental to registered patients of the practice. Councillor P Morris-Jones, also on behalf of Wellington Town Council, echoed Cllr Aveley's concerns regarding the impact on the viability of other pharmacies in the locality and the displacement of employment.

Councillor R J Sloan, adjacent Borough Ward Member, spoke in opposition to the application on residential amenity grounds, particularly the adverse impact of late opening hours and the policing of the proposed pharmacy.

Mr P Icke of Gould Singleton Architects and Mr R Saroy of NightChem Pharmacy spoke on behalf of the Applicants in favour of the application, focussing on the provision of high quality services to patients and claimed that the proposals would not have an adverse affect on existing facilities.

Members then had a robust debate which encompassed concerns regarding job displacement, the viability of other pharmacies in Wellington, out of hours provision, the impact on residential amenity, consideration of current PCT requirements and national stock management issues. Members were also dissatisfied with the proposed loss of consulting rooms at what was generally accepted to be a very busy medical practice. Although competition was not considered to constitute a material consideration, the contribution that existing town centre pharmacies made to the viability and vitality in the context of Wellington town centre was considered to be considerable. The relevance of PPS4 was carefully considered in terms of impact on vitality and viability of the town centre where the potential loss of key retailers/pharmacists would have a deleterious effect on the vibrancy of Wellington as a key retail centre. Moreover it was felt that the opening hours as proposed would lead to late night activity and possible anti-social behaviour. It was also considered that the likelihood of anti-social behaviour arising as a result of the proposals could also be deemed to constitute a material planning consideration.

**RESOLVED – that planning application TWC/2011/0667 be refused as it was considered that a pharmacy contained within this busy medical centre would probably lead to the closure of existing town centre retail pharmacies and thereby would be likely to have an adverse impact on the viability and vitality of Wellington town centre and that the proposal would result in a detrimental impact on the residential amenity within the locality.**

(e) TWC/2011/0734 Vacant Site (formerly Shropshire Lad Pub), Brunel Road, Malinslee, Telford, Shropshire, TF3 2HZ

This was a Council application which sought planning consent for the creation of a neighbourhood equipped area of play (NEAP).

Councillor S Davies, Borough Ward Councillor, spoke in support of the application, which he stated was a long-awaited and welcomed facility for the local residents.

Members of the Board were fully supportive of the application.

**RESOLVED – that with respect to planning application TWC/2011/0734 planning permission be granted subject to the conditions as set out in the report.**

(f) W2008/0934 Land adjacent to, A41, Newport, Shropshire

This was an application for full planning permission for the construction of a 'Continuing Care Retirement Community' (CCRC). The detailed plans of this application were set out in the report and included provision for 209 residential units, medical, kitchen and laundry services, social and recreational facilities, access and car parking. The concept of the Care Community was to provide accommodation to persons who were in need of care by reason of old age but who were still capable of leading active lives in the general community. The application, therefore, offered a sustainable approach to the provision of care facilities for the elderly with the intention that everything necessary for their care would be available to them on-site, 24 hours a day, every day.

Members acknowledged the need for accommodation suitable for an aging population and received clarification on the intended leasing to age specific tenants. With regard to the proposed highways improvements forming part of the proposed S106 Agreement, concerns were raised regarding whether these would be sufficient and Members were keen for improvements to be extended to encompass Stafford Road as one of the main routes into Newport.

**RESOLVED** – that with regard to planning application W2008/0934 :-

- (a) the Head of Housing & Planning be authorised to grant planning permission subject to the owners entering into a Section 106 agreement imposing planning obligations relating to**
  - (i) the proposed C2 use of the dwellings as part of a continuing care retirement community, and attaching to the proposed section 106 the terms of a standard lease to occupants of the proposed dwellings,**
  - (ii) a contribution of £15,000 towards the improvement of nearby bus shelters; improvements to nearby footways and crossing of the A41; following consultation with the local ward member by the Head of Housing & Planning improvements to Stafford Road in order to enhance pedestrian access to the town centre from the site; and the provision of a minibus and pool cars**
- (b) and further subject to the conditions set out in the report and any other conditions that the Head of Housing and Planning considers necessary.**

The meeting ended at 7.58pm

**Chairman:** .....

**Date:** .....

# TELFORD & WREKIN COUNCIL

## PLANS BOARD

26/10/2011

Schedule 1 - Planning applications for determination by Board
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<b>TWC/2011/0157 Gower Street Youth Club, Gower Street, St Georges, Telford, Shropshire, TF2 9BE</b> Application to replace an extant planning permission W2008/0246 for conversion of former youth centre to 7no. residential units together with erection of 6no. new build units.....	<b>3</b>
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<b>TWC/2011/0748 45 Dawley Road, Arleston, Telford, Shropshire, TF1 2HW</b> Change of use from delicatessen (Use Class A1) to delicatessen and hot food take away (Use Class A1 & A5) .....	<b>62</b>
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<b>TWC/2011/0807 Donnington Recreation Ground, School Road, Donnington, Telford, Shropshire, TF2 8HT The creation of a skate park .....</b>	<b>76</b>

TWC/2011/0157 Gower Street Youth Club, Gower Street, St Georges, Telford, Shropshire, TF2 9BE Application to replace an extant planning permission W2008/0246 for conversion of former youth centre to 7no. residential units together with erection of 6no. new build units

**APPLICANT**

, Mr Matthew Haynes

**RECEIVED**

08/03/2011

**PARISH**

St. Georges and Priorslee

**WARD**

St. Georges

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, design, access, and parking

**THE PROPOSAL:**

This is an application for a new planning permission to replace an extant planning permission – W2008/0246 – for the conversion of the former youth centre in Gower Street, St Georges, to seven residential dwellings, together with the erection of six new 3-bedroom houses within its grounds.

The new-build development comprises three 2-storey terraced units facing onto Albion Street and three split-level 2/3 storey terraced houses facing onto Walker Crescent.

The vehicular access into the site for the seven converted units and the three houses facing Albion Street would use the existing access off Gower Street, albeit widened and improved. The other three houses would have their own individual accesses off Walker Crescent. Car parking would mainly comprise communal parking at the front and side of the youth centre building, although the Walker Crescent houses would have their own individual driveway parking facilities.

All the dwelling units would have adequate sized gardens at the rear of the properties and additional landscaping would be provided around the roadside boundaries of the site.

**BACKGROUND INFORMATION**

The building was originally built as a hospital in 1873 by the Lilleshall Company and is a fine example of a mid-Victorian public building. Although not a Listed Building it has been identified as a Building of Local Interest, as outlined in Policy HE25 of the Wrekin Local Plan.

Existing problems relating to the removal of asbestos, the failure of the heating system, and deficiencies relating to disabled access have all led the Council to deciding that it was unviable to reopen the building as a youth centre, or indeed utilise it for any alternative use. Since being closed several years ago the building has been subjected to continuous vandalism, both

inside and out.

#### SITE AND SURROUNDINGS:

The application site lies in a predominantly built-up residential area near to the centre of St Georges, although there is a small industrial estate on the corner of Walker Crescent and Gower Street.

The site extends to 0.5 hectare and slopes down from south to north, with a total change in level of approximately 5 metres. On Albion Street there is a change of level of about 2 metres between the site and the adjacent pavement, and on Walker Street there is a retaining wall, with the pavement being between one metre and 2.7 metres below the ground level of the site.

#### PLANNING HISTORY:

W2008/0246 – Conversion of former youth centre to 7 residential units and the erection of 6 new build units - approved

#### PLANNING POLICY CONTEXT:

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

Saved Wrekin Local Plan Policies  
Policy UD2 – Design Criteria  
Policy H6 - Windfall sites in Telford and Newport  
Policy HE25 - Buildings of Local Interest

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

#### CONSULTATION RESPONSES:

5 letters/e-mails have been received from local residents. The points they raise can be summarised as follows:-

- The building should remain as a community facility
- There is a serious lack of youth provision in the area
- It would entail the loss of a beautiful building
- Pleased that the building at long last will be put to some use
- There is enough housing in the area already
- The area is already densely populated
- Additional traffic on local roads
- Overshadowing and overlooking of adjacent houses and gardens
- Increase in drainage and flooding problems
- Loss of wildlife and nesting sites
- Existing trees on the site are damaging adjacent properties
- Demolition of a boundary wall would jeopardise the stability of the

adjacent land and might lead to subsidence problems

The Parish Council supports the application.

The Council's Geotechnical Engineer has no objections subject to conditions relating to shallow mineworkings, untreated mineshafts, contaminated land, and near-surface ground investigation works.

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

The Council's Parks and Open Spaces Officer has no objections. A sum of £75,000 would be made available by Asset and Property Management to provide an alternative youth facility to serve the local community.

The Council's Education Officer is not requesting any financial contributions towards primary education facilities in the area.

The Council's Ecologist has no objections subject to conditions relating to bats and nest boxes.

#### 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 St Georges.

The former youth centre building is of local historic interest and townscape value in St Georges. It is considered that its conversion to residential use is not only the most appropriate alternative use for the building, but is the one that preserves its integrity and character in the most sympathetic manner.

The building lends itself well to being converted into 7 residential units and the majority of its existing and distinctive architectural features will be retained.

All the dwellings would be allocated at least two parking spaces within the site, and most of the units will have reasonably sized private rear gardens.

It is considered that the design and appearance of the new houses would relate positively to their context, and would reflect and respond to the form, scale, proportions, and materials of the existing youth centre building, as well as satisfactorily respecting the setting of this older building.

It is also considered that the proposals relate to and respect adjacent dwellings in the vicinity of the site, and that the overall development will protect and enhance the character and appearance of the site and the surrounding area.

It is considered that the proposed development will not have a detrimental impact on the residential amenities presently enjoyed by the occupants of

adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

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

1. A04 Time limit
2. B06 Samples of materials
3. B13 Boundary treatments
4. B23 On-site construction
5. B24 Mud on road
6. B26 Shallow mineworkings
7. B27 Untreated mineshafts
8. B30 Contaminated land
9. B33 Drainage details
10. Near surface ground investigation works
11. C05 Window details
12. C19 Car parking
13. C34 Exclusion zone for sewers
14. C38 Development in accordance with submitted plans
15. D01 Removal of permitted development rights
16. C79 Nest boxes
17. Protection of bats

#### REASON FOR APPROVAL:

The site is shown as 'white land' on the Wrekin Local Plan and lies within a predominantly residential area within the built-up area of St Georges.

The development will protect the integrity and character of the former youth centre building, and its distinctive architectural features will be retained. The design of the new houses reflects the form and scale of the existing building, and respects its setting. The development will not be harmful to the residential amenities of nearby dwellings, and the design and appearance of the dwelling houses will not be detrimental to the character and appearance of the surrounding area.

TWC/2011/0397 Land off, Park Lane, Woodside, Telford, Shropshire,  
Erection of a three storey block containing 3no retail units and 13no 2-bed  
apartments and erection of 8no. 2-bed dwellings

**APPLICANT**  
, Karen Lloyd

**RECEIVED**  
09/05/2011

**PARISH**  
Madeley

**WARD**  
Woodside

OBJECTIONS RECEIVED: Yes.

**MAIN ISSUES:**

Regeneration, impact on residential amenity, provision of community facilities,  
highway safety, impact on trees

**THE PROPOSAL:**

The proposal seeks consent for the erection of 8 two storey 2-bed affordable  
homes, and a three storey building providing 3 retail units at ground floor with  
13 2-bed affordable apartments above. The retail units will cover an area of  
approximately 577sqm in total.

A flexible consent for the retail units is sought, for use class A1 and A2,  
extending the potential for letting purposes, however it is considered a small  
food store (456sqm) and a hairdressers salon (121sqm) are the likely  
occupiers. As the end users have not yet been identified, indicative hours of  
use are 8am to 8pm daily, and there is no indication of employees.

Parking spaces are provided within the site, totalling 21 spaces, including 2  
disabled spaces for the residential.

**SITE AND SURROUNDINGS:**

The site comprise of a cleared piece of ground covering approximately  
0.24ha. The Dolphin Public house was previously located on this site, and  
further west were a collection of buildings used in association with a  
community centre, a pastoral centre, surgery and clinic, to the west of the site  
stood the Youth Centre. These have all been demolished in association with  
the significant investment and regeneration works being conducted within the  
area.

The development sites location is central to the local district centre  
surrounding; Woodside medical centre is located to the north separated by  
Park Lane; this is a single storey brick and clad building, with limited first floor  
accommodation in the roof. The building is set on a slightly lower level, which  
fronts Park Lane and the development site. The new Park Lane Centre is  
located to the north west of the development site; this is a statement building  
acting as a focal point to this centre; erected in buff brick and timber clad the  
building focuses the main entrance on a two storey semi circular wall, and a  
well designed area of hard landscaped amenity area. This building has a low  
roof pitch that forms one of the buildings strong architectural features,

complementing the focal entrance point. The building is used as a community centre, providing local nursery facilities and a café. To the rear of the building a secure children's play area is found, used in association with the nursery. Parking facilities for this area are also located to the rear of the building in addition to those spaces directly abutting the western boundary of the development site.

A Residential Care facility is located to the far west, and Woodside infant and junior school located to the far south of the development site.

A row of recent terrace dwellings are located to the east of the site, overlooking an area of parking that abuts this site. Small areas of landscaping act as these properties front amenity area, bounded by a low wooded post and rail fence. These properties then have rear amenity areas abutting the road side as the row of terraces turn the corner. The area then extends out into a residential area.

Park Lane has recently been reopened as a through route to Madeley; this had historically been blocked to the north of the development site, preventing traffic crossing this point.

#### RELEVANT PLANNING HISTORY:

W2009/0703 - Realignment and New Section of Road and the provision of public open space and parking area; Granted October 2009.

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS 1 Delivering Sustainable Development  
PPS3 Housing  
PPS4 Planning for sustainable economic growth  
PPG13 Transport  
PPG24 Planning and Noise  
PPS25 Development and flood risk

#### Saved Wrekin Local Plan Policies

UD2 Design Criteria  
H6 Windfall sites in Telford & Newport  
H22 Community facilities  
H23 Affordable Housing  
S25 New local centres and local shops  
T4 Development principles  
LR6 Outdoor recreation open space provision

#### LDF Core Strategy

CS1 Homes  
CS2 Jobs  
CS3 Telford  
CS5 District and Local Centres  
CS8 Regeneration  
CS9 Accessibility

CS10 Community Facilities  
CS13 Environmental Resources  
CS15 Urban Design

#### CONSULTATION RESPONSES:

Madeley Parish Council: Support the proposal; recognise that this is a regeneration priority for the heart and focal point of Woodside, and will be a keystone for the viability and vitality of the neighbourhood. It is considered the level of occupancy and business activity is sufficient to warrant the application of certain relevant planning obligations that have been deemed not applicable. The nature of proposal will inevitably create pressure on services, and a notional contribution to local facilities would not be unreasonable. Conditions should be applied on acceptable use class for the retail to ensure it takes account of the needs of local residents, their amenity and does not conflict with the existing retail outlets. Conditions for hours of use should also be applied.

Strategic Housing (Urban Design): the building provides active elevations to all surrounding routes; servicing is hidden, and there is a need for a management to ensure this does not adversely impact the amenities of the proposed residents; Scale and massing is considered acceptable. Some concerns over accessing of the apartments through the service area with limited natural surveillance; considered some amendments are made so this is viewed from Park Lane. Architecturally some amendments are suggested to the band between the shops and the apartments which dominate the scheme, with a defining 'top'. Consideration is also shown to the depth of windows on the residential units.

Strategic Housing (Affordable Housing): Strongly supports the scheme and the mix of properties, recognising that there is a great need for 2 bedroom houses, in addition to more rented apartments, with the added provision for wheelchair users. The scheme will therefore meet some of the most urgent housing need in the Borough. Concern was originally raised with regard to all units being socially rented, whilst the Strategic Housing Market Assessment recommends that 20% of new builds are intermediate housing such as shared ownership; however these concerns have been addressed by the applicant following the provision of additional information justifying their position. It is considered that there could be some positive outcomes from the provision of 100% affordable housing, given the low income levels in the area, it could result in people being able to afford to get into or remain in employment, acting as an incentive for people to go to work and thus assist with addressing the issue of unemployment levels. The evidence also provided by the trust suggests share ownership would create a greater financial risk.

Drainage: No objection subject to conditions B33, Brownfield surface water discharge rates, and a condition relating to the diversion of the public foul and surface water sewers which cross the site.

Environmental Engineers: No objection subject to a condition relating to the contaminated land report recommendations

Arboriculture: Originally objected, due to the removal of a medium sized lime tree on the site which is worthy of retention. Concern was also raised with regard to the proposed locations of new trees requesting these in open spaces rather than private gardens; amended plans have since been received and these issues have been addressed; subsequently this is amended to no objections subject to conditions regarding protective fencing, root barrier details planting pits and management of trees.

Highways: originally raised concerns with regard to parking access and egress, and the need for a stopping up order de to some of the land being on public highway. These issues have since been addressed and no objections are raised subject to conditions.

Parks and Open Spaces: Support subject to contributions of £600 on properties of 2 or more bedroom properties, equating to £12,600; providing funding to offset the additional demand upon existing resources, allowing the upgrading of nearby recreational facilities. The officer is however prepared to accept a lesser contribution of £5,000 due to the financial issues of the site.

Education: No contribution is required de to the faculties being socially rented.

Ecology: No objection subject to conditions relating to planting schemes, the provision of bat and bird boxes, and informatives regarding nesting birds and lighting.

Sustainability: Comment: There are some very positive sustainability aspects of the development, for example the Design and Access Statement stipulates that the build will:

- be certified to Level 4 of the Code for Sustainable Homes.
- utilise PV panels.

Taking this into account it is recommended that a *minimum* of Code for Sustainable Homes Level 4 rating is conditioned for the development and that proof of certification is provided upon design and build. This is to ensure that the build is built to standard as stated within the Design and Access Statement.

Contaminated Land (Environmental Heath): No objections: Site investigation identifies some contaminates, however this can be adequately dealt with through condition.

Shropshire Fire Authority: Informatives regarding Emergency access, water supplies and sprinkler systems

No third party / Neighbour representations have been received.

#### PLANNING CONSIDERATIONS:

The regeneration of Woodside has been a priority for the Council since 2003, following the creation of the Woodside Regeneration Partnership. A number

of significant developments infrastructure changes have occurred within this area, including the erection of the Park Lane centre, the new housing development to the south and the opening of Park Lane to provide a through route, reinforcing the development sites central nature to the surrounding area. This proposal follows the concepts set out in the regeneration project; as there are two elements to the proposal it is easier to address each in turn.

#### Retail:

The proposal provides three retail units overlooking the newly created public realm and carpark to the west of the site. The service area is located to the rear, through a gated access to the north, which is also provides secure parking for the residential units.

A flexible consent for the retail units is sought, for use class A1 and A2, extending the potential for letting purposes, however it is considered a small food store (456sqm) and a hairdressers salon (121sqm) are the likely occupiers. As the end users have not yet been identified, indicative hours of use are 8am to 8pm daily, and there is no indication of employees. It is considered that both the issues relating to use and hours can be adequately controlled through condition.

Parking on the adjacent village square provides in excess of 30 spaces, catering for the retail customers in addition to any visitors for the dwellings. The proposal will therefore not have a detrimental impact on highway safety.

The principle of these units is considered acceptable, located in a sustainable location, and adequately designed not to impinge on any existing or proposed residential amenities or land uses.

#### Residential:

Apartments are located above the retail units, providing activity at a first and second floor. Access to the units is to the rear of the building close to the service area of the shops. This entrance is disappointing as there is little distinction of the two distinctly separate uses; ideally this would have been considered further at the design stage, locating the entrance away from the rear service area of the shops. The architect considers that this area is significantly emphasised by the use of block cladding and the increased height of the entrance block above the flat roof of the main block. Two rows of four terraces are located to the north and south of the site, providing an active frontage to the sites boundaries. These have been designed as modern two storey dwellings with a gable roof, with boxed windows creating a distinctly modern character, which associates with the surrounding redeveloped area in addition to the scale of adjacent housing on Park Lane. These units do not compromise the amenity of the adjacent residential dwellings in terms of overlooking or loss of light. Each unit has individual amenity area, and rear access onto the parking forecourt.

One parking space is provided for each of the residential units within this area; cycle provision for 15 cycles is also proposed adjacent to the apartment entrances, catering for sustainable methods of transport. The proposal is

creating the local centre, and in close proximity to a regular bus route, as such the level of car parking is considered acceptable.

Amendments have been received since the submission of the application addressing some of the design concerns; however the main concern over the apartment entrance remains the same, giving a lack of presence, in addition to the distance waked from the entrance to some of the units, as the entrance is not centrally located. Discussions are still continuing with regard to the balcony at first floor and the screening, which originally proposed railings. These railings were not considered acceptable, as they would not provide sufficient screening for the domestic paraphernalia likely to be sited within these areas, allowing such items for example the residents washing etc to be seen from the square, and longer views of Park Lane, reducing the quality of the design.

#### Site Constraints:

The single tree located on the site is now subject to a Tree Preservation Order, and consequently the car park has been amended to retain this tree. As such a no dig construction of landscaping is required to provide one of the parking spaces. The location of trees has also been addressed removing these form private amenity areas, due to the likelihood these will be removed; retaining those on the informal communal amenity areas.

No constraints exist with regard to drainage, land contamination or other ground conditions, and as such can be adequately conditioned. Though the drainage engineer notes a public sewer crosses the site and as such need to be diverted.

The original submission proposed a development meeting Code 4 for sustainable homes, and accordingly the comments from sustainability requested this was conditioned. Following this comment the applicant has objected to this due to cost implications, and as such all reference for Code 4 has been removed. The proposal will now meet Code Level 3, retaining the proposed Photovoltaic solar panels on the roof of both the apartments and the residential dwellings. The council promotes this method and therefore is considered acceptable.

#### Planning Contributions:

The proposed housing is 100% affordable by way of social rent; the Housing Enabling Officer originally raised concerns, requesting a mixed provision, however further evidence has been submitted by the applicant to address this, indicating that it would be counterproductive to insist on intermediate tenures from both a social and a financial point. Subsequently the level mix and tenure of affordable housing is considered appropriate.

Therefore as the application provides 100% social housing, no contributions have been requested from education; however a request has been made from Leisure and Recreation. The proposal triggers the need to provide £600 per dwelling towards the provision of off site playing facilities, and consequently a request of £12,600 was made. The applicant objected to this on the grounds

that the scheme is part of the Wildwood scheme where a number of houses have been demolished, with the loss of over 160 bed spaces; as the applicant is providing 152 new bed spaces of which 13 are apartments they considered there would be no additional impact on the use of the existing leisure facilities to warrant a contribution. This application is not part of any other application, and subsequently has to be considered on its own merits. Further discussions were held between the lead Council officer for the Woodside regeneration scheme and Leisure, whereby a reduced contribution of £5000 was requested. Again the applicant has refused to provide this contribution; however further financial justification has now since been given, which indicates a deficit, with or without housing grant. Subsequently the refusal to provide any financial contribution is supported in this case by the Councils Development Delivery Officer.

Madeley Parish Council have requested a nominal contribution towards local facilities to be used on health, education, community facilities or public realm, for the reasons explained above this has not been pursued.

In conclusion it is considered that the proposal in principle meets the regeneration needs of the area, reinstating a local centre. The proposal will also provide 100% affordable housing, in the form of both apartments and dwellings, meeting local needs. The design of the retail units and adjacent dwellings is considered acceptable, reflecting the modern developments in the area, whilst exhibiting traditional scale of adjacent development. The proposal will not have an adverse impact on the amenities of adjacent residents or other adjacent users. The proposal will continue the preservation of the protected tree, and create a sustainable form of development. Consequently it is considered the proposal complies with both local and national planning policies.

**RECOMMENDATION:** subject to the provision of amended plans addressing the first floor balcony to GRANT PLANNING PERMISSION subject to the following conditions

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample brick panel
4. B13 Details of enclosure
5. B14 Landscaping design
6. Bcustom Highways construction details
7. B23 On site construction
8. B24 Mud on road
9. B33 Foul and surface water drainage
10. B41c Brownfield run off rates
11. B73 Protective fencing
12. B75 No dig method around tree
13. C18 Access prior to other operations
14. C19 Car parking
15. Ccustom Bat and bird boxes
16. Ccustom Development in accordance with land contamination report

- 17. C38 Development in accordance with plans
- 18. D06 Restriction on use
- 19. D11 Hours of work

**REASON FOR APPROVAL:**

The principle of development meets the regeneration needs of the area, reinstating a local centre. The proposal will also provide 100% affordable housing, in the form of both apartments and dwellings, meeting local needs. The design of the retail units and adjacent dwellings is considered acceptable, reflecting the modern developments in the area, whilst exhibiting traditional scale of adjacent development. The proposal will not have an adverse impact on the amenities of adjacent residents or other adjacent users; nor will the proposal prejudice the safety of highway users. The proposal will continue the preservation of the protected tree, and create a sustainable form of development in an accessible location.

TWC/2011/0572 4 Chetwynd End, Newport, Shropshire, TF10 7JE Erection of ground floor rear extension, and a pitched roof gable (Full planning

**APPLICANT**

, Miss Sarah Moreton

**RECEIVED**

05/07/2011

**PARISH**

Newport

**WARD**

Newport North

THIS APPLICATION WAS DEFERRED AT PLANS BAORD ON 5<sup>th</sup> OCTOBER 2011 FOR A MEMBER SITE VISIT.

CLLRS SCAMMELL AND MEREDITH HAVE REQUESTED THAT PLANS BOARD DETERMINE THIS APPLICATION.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: The Inspector's decision in respect of the previous refusal on the site, the effect on character and appearance of the listed building and Newport Conservation Area and residential amenity.

PROPOSAL: Erection of a single storey rear extension. This proposal is a revised scheme following a previous refusal and appeal and seeks to overcome the Inspector's concerns in order to produce an acceptable form of development. The Inspector did not object to the proposed development per se but to some of the design and detailing. Amended plans have subsequently been received which show that the proposed extension is detached from the neighbour's wall 200mm.

A Listed Building consent application (TWC/2011/0573) has also been submitted for the erection of a single storey rear extension and alterations to include an attic conversion.

Separate planning application (TWC/2011/0616,) for a free-standing structure (summer house) in the rear garden of Tudor Rose Cottage have also been submitted and these will be presented to Plans Board in due course.

**SITE AND SURROUNDINGS:**

Tudor Rose Cottage is a Grade II Listed Building and is the end property in a row of six dwellings. The property is located within Newport Conservation Area.

The application site comprises a late C19 two storey house incorporating part of a C17 timber framed structure. The property fronts on to Chetwynd End and the front elevation has two Bay windows either side of a plain central doorway all under a tiled pentice (a sloping roof projecting from the front wall, to provide shelter to the door) and two modern casements windows above.

The southern gable has an exposed timber frame with C19 barge boards finished with a spike finial and a steeply pitched tiled roof. The rear elevation

is facing brick on the ground floor with exposed timber framing on the first floor some of which is possibly sham (fake). There is a previous single storey flat roofed kitchen extension off the rear elevation.

The rear garden is bounded by 2.0m or so walling to the south and is adjacent the car park belonging to a small housing association development. The common boundary between the application site and the adjoining property comprises the rear wall of the kitchen and outbuilding belonging to the neighbouring dwelling (no.6 The Honey House) is approximately 3.5 m in height adjacent the proposed development reducing to 2m or so then changing to timber panel fencing .

#### PLANNING HISTORY:

Previously Members refused planning permission for a rear extension, loft conversion and a retrospective application for a garden room contrary to officer recommendation (TWC/2010/0046) and the listed building consent application (TWC/2010/0047) was subsequently refused under delegated powers. The Planning Inspector upheld the LPA's decision and dismissed the subsequent appeals.

This application is similar to a previous approval W2005/1172 for a loft conversion and pitched roof to the existing single storey kitchen extension with the addition of a WC on the ground floor.

A planning application (TWC/2011/0616) in respect of the a detached timber garden room in the rear garden will be presented to Plans Board once a more suitable site has been considered.

A previously constructed WC has been demolished prior to prosecution as it did not benefit from listed building consent or Building Regulation approval.

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS 1 Delivering Sustainable Development  
PPG15 Planning and the Historic Built Environment.

Saved Wrekin Local Plan Policies  
UD2 Design Criteria  
HE3 New Development in Conservation Areas  
HE16 Alterations and Additions to Listed Buildings

LDF Core Strategy  
CS14 Cultural, Historic and Built Environment.  
CS15 Urban Design

#### CONSULTATION RESPONSES:

Newport Town Council has advised that its Members have noted this application was been Green Carded by Cllrs Meredith & Scammell who will endorse the previous findings of the Planning Inspectorate.

Conservation Officer considers that this application has specifically addressed the concerns of the Planning Inspector and is therefore happy to support the proposal subject to conditions in respect of materials and details of the doors and windows.

The Ecologist has suggested a bat and bird informative given the age of the building.

A Site Notice and 10 direct neighbour letters have publicised the application.

A letter of objection has been received from the nearest neighbour (The Honey House) objecting to the proposal and raises on going neighbour dispute issues. The matters raised are:

- The neighbour is highly surprised that she needs to be writing a letter due to the Inspector's previous decision.
- Why is latest application using the name Moreton-Caller rather than Ms Sarah Moreton.
- The adverse affect the ground works etc will have on her old property.
- Previous sand blasting of her wall without permission.
- A Previous unauthorised extension which required demolition.
- On-going damp problems.
- The shed is still in-situ.
- The difference in ground level between the 2 properties will make the noise level worse due to the loft conversion and therefore due attention should be paid to the noise insulation.
- Submitted plans may well meet approval, however Telford & Wrekin Council should give due consideration to the effect that the proposal would have on her property.
- As a local ratepayer the Council must have a moral obligation to enable her to maintain and protect the integrity of her home. All of these objectives would be impossible with the plans as proposed.
- The build could take place with a 1m space between the 2 properties allowing access.
- The possible devaluation of The Honey House if access space is not available for maintenance.
- No further objections if a working space and the sound proofing insulation are addressed.

Following the submission of amended drawings detaching the proposed extension from the neighbour's wall, a further letter of objection has been received from the nearest neighbour. The issues raised are:

- The amended drawings are the wrong way round in their orientation.
- Box guttering installed along the gable end roof, and its capacity to cope with the amount of water likely to flow into it, not only from the long slope of the proposed extension, but also from the water that will over flow into it from my own guttering.

- There is no access to my roof to undertake cleaning and if required repair to my guttering, due to the closeness of the proposed build. The blocked and possibly damaged guttering will over flow straight into the proposed box guttering of No 4 and will have no where else to over flow too, but down between the two properties and into my now porous wall, with no ability to dry out. Only one thing will be the result of this action, a permanent state of dampness to my internal walls, this also hinders any intentions that I may have to sell my property in the future.
- I find it hard to believe that the planning committee would consider condemning my property to suffer such damage, when all I am asking for is the safety of my home by providing a 1 metre working space be left between the two buildings to provide that much needed ability to keep my wall in good order and the natural drying of the said wall.
- The applicant must implement the Party Wall Act of 1996, should planning permission be granted for any build, and that she is required to “serve me notice”. If she fails to follow this procedure it will instantly result in her being sued.

In response to the comments made by the neighbour it should be noted that many of them are not material planning considerations or relevant to this application. Nevertheless, Members are advised that;

- There is no regulation which prohibits the applicant from submitting this application, and the LPA is obliged to notify neighbours.
- Whether or not the applicant chooses to use her maiden or married name is not relevant as she is the same person.
- The extension would be constructed on a raft foundation which would minimise the amount of excavation required and ensure the stability of the neighbouring property.
- Historic sand blasting and on-going neighbour disputes are not relevant and the works did not require planning permission.
- The previous unauthorised WC which did not benefit from Building Regulation approval or Listed Building Consent was removed last year.
- As a result of the on-going damp issues the case officer has previously attempted to sort out the damp issues, by involving the Council’s Environmental Health Officer (Private Sector Housing), the officer has been in discussions with the agent, the neighbour and the neighbour’s surveyor. Although the damp problem is not material in respect of determining the application, this seemed to be the most sensible course of action because, if approved and then built the on-going damp problems would be encapsulated within the new build without giving to opportunity to resolve the problem if the neighbours were not prepared to discuss the matter. Officers concluded that there appeared to be a number of factors contributing to the damp problems being experienced by both properties.
- A planning application has been submitted for the shed however, amended drawings are awaited when a more appropriate location for the shed has been considered. Therefore, it is not expedient to take enforcement action as valid application has been submitted to the LPA.

- Planning permission is not required for the attic conversion (only LBC is required). Nonetheless, issues in respect of sound/noise transfer fall under the remit of Part E of the Building Regulations 2000 (as amended) which require new attached dwellings to achieve a reasonable resistance to sound from adjoining buildings.
- Consideration is always given to residential amenity on all planning applications but not listed building consent applications.
- The LPA can only consider applications under the relevant planning and listed building legislation and not any moral obligations. Case Law advises that the LPA are not liable to neighbouring landowners in negligence for granting planning permission for development adversely affecting their interests. The case law is further reinforced by the ruling of the House of Lords where it held that the Local Authority were not liable in negligence in carrying out their statutory functions.
- There is no minimum distance which should be left between boundaries and extensions under planning law. Extensions adjacent neighbouring property falls under the remit of The Party Wall etc. Act 1996. An adjoining owner (the neighbour) can not stop someone from exercising the rights given to them by the Act, but may be able to influence how and as what times the work is done. The adjoining owners' rights are:
  - To appoint a surveyor to resolve any dispute,
  - Require reasonably necessary measures to be taken to protect their property from foreseeable damage,
  - Not to suffer any unnecessary inconvenience,
  - Be compensated for any loss or damage caused by relevant works,
  - Ask for security of expenses before any significant work is started so as to guard against the risk of being left with difficulties if works are stopped at an inconvenient stage.

The Party Wall etc. Act 1996 is the responsibility of the developer or applicant and the neighbour. The LPA or the Council can not intervene.

- Possible devaluation of property is not a material planning consideration.
- The drawings are not wrong; the drawing is a 'section' and the 'view' is that from inside the application property looking towards the proposed extension and not an 'elevation' which is the 'view' from standing in the garden looking towards the proposed development.
- The rainwater arrangements will be infinitely better than the existing situation in which the neighbour's rainwater gutter and the soil and vent pipe discharges into a downpipe by garden wall. There is no minimum distance which must be left between the boundary and the proposed extension. Access for maintenance and damp is not a material planning consideration which can influence the determination of this application. This fact was confirmed by the Planning Inspector in his appraisal in respect of the previous application. A copy of the Inspectors report is attached for information.

A further set of amended drawings (that show the extension even further away from the neighbour's wall has been submitted. No further representations have been received from the neighbour.

#### PLANNING CONSIDERATIONS:

The proposal comprises:

- conversion of the attic into a bedroom with an en suite bathroom,
- the insertion of four conservation roof lights,
- inserting a new staircase from the first floor to the attic,
- blocking up the landing window on the first floor,
- inserting a new window in the study,
- repositioning the door into the sitting room,
- constructing a single storey rear toilet extension,
- replacing the existing flat roof with a pair of gables.

Of the above list, planning permission is only required for the single storey rear toilet extension, and the replacement of the existing flat roof with a pair of gables. The other elements are permitted development and only require Listed Building Consent.

The appeal Inspector did not object to the principle of the attic conversion and the erection of the rear extension and the addition of a gable roof to the existing flat roofed extension. The planning Inspector opined that;

“With regard to the rear extension, when looking from either the public domain to the side or from the (Appellant's) garden, what is proposed would be a subservient element on the property that would not challenge its original character. Consequently, it would not appear discordant and indeed it would be a visual improvement when compared to what is now present. Although the eaves on the north side would be lower, giving the gable a slightly unbalanced appearance, the impact of this would not be great enough to render the proposal unacceptable. The roof would conceal some of the rear timber frame but sufficient could still be seen to ensure the integrity of the building remained apparent.”

However, the Inspector considered that the proposed glazed panels at the very apex of the gable wall would constitute a modern discordant feature which would detract from the simple integrity of the important gable. As a result he considered this feature would harm the listed building and also have a detrimental affect on the conservation area due to its prominence.

With this in mind this revised application (and listed building application TWC/2011/0573) have been submitted to remove the glazed panels from the proposal.

In addition the Inspector also dismissed the appeal due to the close proximity of the standard modern designed detached garden room to the rear of the dwelling and the adverse impact on the setting of the listed building and the

impact upon the character and appearance of the Newport Conservation Area – this is subject to a separate planning application that will be determined in due course.

Nationally, PPS5 gives Government advice on the protection of historic buildings and conservation areas. Policy HE7.5 states that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.

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

Guidance contained in the Core Strategy policy CS14 advises that *inter alia*, the LPA should protect and enhance the historic environment, cultural and built heritage, and CS15 states that development should positively influence the appearance of the local environment.

Policy HE3 requires new development to be of the highest standards of design that will preserve or enhance the character or appearance of the area.

Policy HE16 states that alterations and extensions to listed buildings will only be permitted when amongst other issues; the essential form and character of the building are maintained and the historic interest of the building and its setting are not adversely affected, its architectural features are retained.

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

The existing flat roof extension, with Upvc windows detracts from the character and appearance of the listed building, and although an earlier consent allowed a pitched roof over part of the existing rear extension this revised design, which removes the flat roof altogether is considered to be more appropriate and is an improvement to the existing situation and the previous approval. Of the proposed extension the Inspector commented “Indeed it would be a visual improvement when compared to what is now present”. Thus this revised application to remove the glazed panels, which the Inspector did not approve of, will no longer harm the listed building or the character and appearance of the conservation area.

Comments raised by the neighbour are answered above in respect of access to her wall for maintenance. There is no minimum separation distance required for matters of access in this situation. It is not a material planning consideration in determining this application and is covered under separate legislation (Access to Neighbouring Land Act 1992). Furthermore, the Inspector commented that;

“the need to allow access to the wall of Honey Cottage from the Appellant’s land is not a ground to dismiss either appeal”.

With regard to the damp issues the Inspector stated;

“There was much in the submissions (in the appeal), about the effect of the rear extension on problems of damp experienced at Honey Cottage, the adjoining unlisted house to the north. In particular I note that the neighbour’s surveyor considered the proposal would effectively draw up water between the properties and limit the means by which it could be treated. Ultimately, the courts are arbiters of what constitutes a material consideration. However, to my mind the evidence concerning the effect of the extension on dampness is not conclusive and the weight I can attach to it is not sufficient to justify refusing the proposal.”

The proposal to construct a single storey rear extension will necessitate;

- the removal of the gully running against the wall,
- the repositioning of the existing soil and vent pipe,
- the reconfiguration of the rainwater disposal.

Therefore, approving this application will result in the existing drainage arrangements being looked at and improved. If the application is refused then there would be no incentive for the applicant to consider the drainage and no jurisdiction under planning to insist that the drainage issues are addressed. The on-going damp issues are not material planning issues.

A further set of amended drawings that show the extension even further away from the neighbour’s wall, have been submitted. These revisions relate to the excavations which have been conducted to establish the depth and details of the foundations of the neighbouring wall. Due to the ledge footing at the base of the neighbouring wall it has been decided that to avoid imposing a load onto this footing that the new raft foundation would be set at the side of this footing and therefore the wall of the new extension would be set at a distance of 200mm from the neighbours wall rather than the previously proposed 10mm. The internal floor level of the proposed WC will be raised by 200mm (this will not make any difference to the external appearance of the proposed development). In addition because the excavation for the new raft foundations will not go below the bottom of the foundations of the neighbouring wall a Party Wall Act 1996 agreement is not required.

The proposed development complies with the Council’s 45 degree code in respect of residential amenity, sufficient private amenity space is retained and parking is unaffected.

In conclusion, the elements which the Inspector deemed inappropriate have been removed from this proposal and it is considered that the siting, scale and design of the revised extension is therefore now acceptable with matching materials and replacement timber windows, and as such the proposed

development is an improvement to the existing situation. It will result in an enhancement to the Listed Building and a positive impact upon the character and appearance of the Conservation Area. There will be no loss of residential amenity to the adjoining neighbour; however, as a consequence the on-going damp issues will be addressed. Off street parking is unaffected and adequate private amenity space is retained.

Accordingly, the proposal is considered compliant with policies CS14 and CS15 of the Local Development Framework Core Strategy, 'saved' Policies UD2, HE3 and HE16 of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPS1 and PPS5, and therefore recommended for approval with conditions.

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

Conditions

1. A06 time limit.
2. B05 details of materials (incl rainwater goods)
3. B06 samples of materials.
4. B07 sample brick panel
5. B11 details of doors and windows 1:10.
6. C38 In accordance with approved plans.
7. C41 metal rainwater goods.
8. I23 bats.
9. I30 Party Wall Act.
10. I40 conditions.
11. I41 Reasons for grant.

**REASON FOR APPROVAL:**

The proposed development has been specifically amended to overcome the Inspector's previous concerns. The siting, scale and design of the extension is acceptable with matching materials and replacement timber windows, and as such the proposed development is an improvement to the existing situation. It will result in an enhancement to the Listed Building and a positive impact on the character and appearance of the Conservation Area. There will be no loss of residential amenity to the adjoining neighbour; however, as a consequence the on-going damp issues will be addressed. Off street parking is unaffected and adequate private amenity space is retained.

TWC/2011/0573 4 Chetwynd End, Newport, Shropshire, TF10 7JE Erection of ground floor extension, a pitched roof gable, internal alterations and conversion of the attic (Listed building

**APPLICANT**

, Miss Sarah Moreton

**RECEIVED**

05/07/2011

**PARISH**

Newport

**WARD**

Newport North

THIS APPLICATION WAS DEFERRED AT PLANS BOARD ON 5<sup>TH</sup> OCTOBER 2011 FOR A MEMBER SITE VISIT.

CLLRS SCAMMELL AND MEREDITH HAVE REQUESTED THAT PLANS BOARD DETERMINE THIS APPLICATION.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: The Inspector's decision in respect of the previous refusal on the site, the effect on character and appearance of the listed building and its setting.

PROPOSAL: Erection of ground floor extension, a pitched roof gable, internal alterations and conversion of the attic. Amended plans have been received which show that the proposed extension is detached from the neighbour's wall by 200mm. This proposal is a revised scheme following a previous refusal and appeal.

This revised application seeks to overcome the Inspector's concerns to produce an acceptable form of development. The Inspector did not object to the proposed development per se but to the design and detailing.

A full planning application (TWC/2011/0572) has also been submitted for the erection of the single storey rear extension. The internal alterations and attic conversion do not require planning permission as they are permitted development (PD).

A separate planning application (TWC/2011/0616) in respect of the a detached timber garden room in the rear garden have been submitted and will be presented to Plans Board in due course once a more suitable site has been considered.

**SITE AND SURROUNDINGS:**

Tudor Rose Cottage is a Grade II Listed Building and is the end property in a row of six dwellings. The property is located within Newport Conservation Area.

The application site comprises a late C19 two storey house incorporating part of a C17 timber framed structure. The property fronts on to Chetwynd End and the front elevation has two Bay windows either side of a plain central

doorway all under a tiled pentice (a sloping roof projecting from the front wall, to provide shelter to the door) and two modern casements windows above.

The southern gable has an exposed timber frame with C19 barge boards finished with a spike finial and a steeply pitched tiled roof. The rear elevation is facing brick on the ground floor with exposed timber framing on the first floor some of which is possibly sham (fake). There is a previous single storey flat roofed kitchen extension off the rear elevation.

The rear garden is bounded by 2.0m or so walling to the south and is adjacent the car park belonging to a small housing association development. The common boundary between the application site and the adjoining property comprises the rear wall of the kitchen and outbuilding belonging to the neighbouring dwelling (no.6 The Honey House) and is approximately 3.5 m in height adjacent the proposed development reducing to 2m or so then changing to timber panel fencing .

#### PLANNING HISTORY:

Previously Members refused planning permission (TWC/2010/0046) for a rear extension, loft conversion and a retrospective application for a garden room contrary to officer recommendation, and listed building consent was subsequently refused under delegated powers (TWC/2010/0047). The Planning Inspector upheld the LPA's decision and dismissed the subsequent appeals.

This application is similar to a previous approval W2005/1172 for a loft conversion and pitched roof to the existing single storey kitchen extension with the addition of a WC on the ground floor.

A previously constructed WC has been demolished prior to prosecution as it did not benefit from listed building consent or Building Regulation approval.

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPG15 Planning and the Historic Built Environment.

Saved Wrekin Local Plan Policies  
HE16 Alterations and Additions to Listed Buildings

LDF Core Strategy  
CS14 Cultural, Historic and Built Environment.

#### CONSULTATION RESPONSES:

Newport Town Council has advised that its Member have noted this application was been Green Carded by Cllrs Meredith & Scammell who will endorse the previous findings of the Planning Inspectorate.

Conservation Officer considers that this application has specifically addressed the concerns of the Planning Inspector and is therefore happy to support the

proposal subject to conditions in respect of materials and details of the doors and windows.

A Site Notice and 10 direct neighbour letters have publicised the application. No objections in respect of design and adverse impact upon the LB have been received.

#### PLANNING CONSIDERATIONS:

The proposal comprises:

- conversion of the attic into a bedroom with an en suite bathroom
- the insertion of four conservation roof lights
- inserting a new staircase from the first floor to the attic
- blocking the landing window on the first floor
- inserting a new window in the study
- repositioning the door into the sitting room
- constructing a single storey rear toilet extension
- replacing the existing flat roof with a pair of gables

The Inspector did not object to the principle of the attic conversion and the erection of the rear extension and the addition of a gable roof to the existing flat roofed extension. The planning Inspector opined that;

“With regard to the rear extension, when looking from either the public domain to the side or from the (Appellant’s) garden, what is proposed would be a subservient element on the property that would not challenge its original character. Consequently, it would not appear discordant and indeed it would be a visual improvement when compared to what is now present. Although the eaves on the north side would be lower, giving the gable a slightly unbalanced appearance, the impact of this would not be great enough to render the proposal unacceptable. The roof would conceal some of the rear timber frame but sufficient could still be seen to ensure the integrity of the building remained apparent.”

However, the Inspector considered that the proposed glazed panels at the very apex of the gable wall would constitute a modern discordant feature which would detract from the simple integrity of the important gable. As a result he considered this feature would harm the listed building and also have a detrimental affect on the conservation area due to its prominence.

With this in mind this revised listed building application (and associated planning application TWC/2011/0572) have been submitted and show that the glazed panels have been removed from the proposal.

The Inspector also dismissed the previous appeals due to the close proximity of the standard modern designed garden room to the rear of the dwelling and the adverse impact on the setting of the listed building and the impact upon the character and appearance of the Newport Conservation Area – this is subject to separate planning application that will be determined in due course.

Nationally, PPS5 gives Government advice on the protection of historic buildings and conservation areas. Policy HE7.5 states that Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.

Guidance contained in the Core Strategy policy CS14 advises that *inter alia*, the LPA should protect and enhance the built heritage.

Policy HE16 states that alterations and extensions to listed buildings will only be permitted when amongst other issues; the essential form and character of the building are maintained and the historic interest of the building and its setting are not adversely affected, and its architectural features are retained.

The existing flat roof extension, with Upvc windows detracts from the character and appearance of the listed building, and although an earlier consent allowed a pitched roof over part of the existing rear extension this revised design, which removes the flat roof altogether is considered to be more appropriate and is an improvement to the existing situation and the previous approval. Indeed the planning Inspector opined that "Indeed it would be a visual improvement when compared to what is now present". Thus this revised application to remove the glazed panels, which the Inspector did not approve of, will result in a positive impact upon the character or appearance of the listed building.

Turning to the other elements of the proposals, the Inspector opined that "the various internal works would not cause harm to the historic fabric layout of the property and the roof lights would be suitably discreet. Furthermore, the siting and scale of the new study window and the infilling of the modern landing window would relate satisfactorily to the timber frame on the back elevation."

The proposal has been amended in line with the planning Inspector's comments and therefore, it is considered that the siting, scale and design of the extension and internal alterations are now acceptable and maintain essential form, character, and historic interest of the listed building and would not adversely affect its setting.

Accordingly, the proposal is considered compliant with policies CS14 of the Local Development Framework Core Strategy, 'saved' Policy HE16 of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPS5, and therefore recommended for approval with conditions.

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

Conditions

2. A05 time limit.
3. B06 samples of materials.

4. B09 details of materials (incl rainwater goods)
4. B10 sample brick panel
5. B12 details of doors and windows 1:10.
6. B57 Details of roof lights LBC
7. B59 render repairs LBC (if required)
8. C38 In accordance with approved plans.
9. C41 metal rainwater goods.
10. I40 conditions.
11. I42 Reasons for grant.

**REASON FOR APPROVAL:**

The siting, scale and design of the extension and internal alterations are acceptable and maintain essential form, character, and historic interest of the listed building and would not adversely affect its setting.

TWC/2011/0591 Dawley Regeneration, Telford, Shropshire. Erection of a 900 place Secondary School (incorporating ancillary office and consulting space), community sports facilities and associated car parking and works  
\*\*\*Amended description and amended plans/information received\*\*\*

**APPLICANT**

, Telford and Wrekin Council

**RECEIVED**

19/08/2011

**PARISH**

Great Dawley

**WARD**

Dawley Magna, Malinslee

**OBJECTIONS RECEIVED:** Yes

**MAIN ISSUES:** Design, Access and Landscaping

**THE PROPOSAL:**

Erection of a 900 place Secondary School (incorporating ancillary office and consulting space), community sports facilities and associated car parking and works \*\*\*Amended description and amended plans/information received\*\*\*

This is a Reserved Matters application following the grant of Outline Planning Permission. The proposal forms part of the Building Schools for the Future programme which itself has been reviewed following changes to Government's funding programme. The school buildings will comprise a new build 6<sup>th</sup> form entry secondary school accommodating 900 students and 100 FTE staff. In addition the buildings will also accommodate PCT services, a whole life health and fitness centre and extended sports facilities to regional standard (funded by Sport England).

The school includes both single and two-storey elements, including sports hall, main hall and drama studio. Along with the extended services this is known as the "community" block or wing. The traditional and flexible learning accommodation is housed within a two-storey "teaching" block or wing.

The two building blocks are linked by positioning the main entrance to the building as the fulcrum, linking the entrance foyer with the heart space of the school and the main entrance plaza with the courtyard to the school.

The sporting facilities proposed for the new school and community include a 10 court sports hall with 495 retractable seats for competition games, a floodlit third generation rugby pitch, athletics track and facilities, three football pitches, cricket pitch, six tennis courts, training grids and a BMX track.

**BACKGROUND:**

The proposal forms part of the Council's wider regeneration ambitions for the revitalisation of Dawley that will include the provision of new retail, community facilities, a range of quality new homes, employment opportunities and public open space, with ecology parks, children's play areas and 'greenways' linking

Dawley and Malinslee to Telford Town Park and Town Centre. This has involved considerable remediation works over the past year following the grant of outline planning permission Ref TWC/2010/0036

### **PLANNING HISTORY:**

TWC/2011/0526 - Material amendment to the approved full planning application (TWC/2010/0037) for infrastructure and drainage works for Dawley & Malinslee regeneration phase 1. Changes relate to slackening of slope gradients and associated geotechnical reinforcement and alterations to landscaping areas to coincide with the proposed changes to slopes – Approved 10<sup>th</sup> October 2011.

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<sup>th</sup> July 2010.

TWC/2010/0036 - Outline application for a mixed use development of 35.3 hectares of vacant land at Dawley and Malinslee comprising of a new school and associated sports pitches, retail units, residential dwellings, a nature park, a children's playground, BMX track, public open space, landscaping and rights of way and associated works - Approved 12<sup>th</sup> August 2010.

### **SITE AND SURROUNDINGS:**

The site area is part of phase 1 of the wider outline application for Dawley Regeneration. It is approximately 10.6 hectares of predominantly brownfield land located between Portley Corner to the south Lancaster Avenue to the north, Dawley High Street to the west and Langley Fields to the east.

Low density residential development, which is largely two storey developments, with some occasional 3 or 4 storey flatted developments surround the site.

Originally, the site consisted of two distinct areas, Paddock Mount and Portley Corner. Paddock Mount was a steeply sloping site on its northern, eastern and southern boundaries, with relatively level connection to Dawley High Street to the west. The ground level was approx 15m above properties to the north. Portley Corner is elevated from its surroundings, the shape and height creates a sense of detachment. The top of the mount was approx 20m above Portley corner junction of Finger Road and Springhill Road.

The series of engineered plateaus and graded slopes created through the earthwork remediation are substantially completed for all areas except for Portley Corner where work is ongoing and has recently been subject to a redesign as outlined in the planning history above.

The site enjoys uninterrupted views in 180 degrees from east to west and provides a unique opportunity for a school building to orientate itself to take advantage of but be respectful of this exposed position to the elements.

### **PLANNING POLICY CONTEXT:**

Draft National Planning Policy Framework

National Planning Guidance:

PPS1 Delivering sustainable development and planning and climate change supplement

PPS9 Biodiversity and geological conservation

PPG13 Transport

PPG17 Open space, sport and recreation

PPS23 Planning and pollution control

PPG24 Planning and noise

LDF Core Strategy:

CS3 Telford

CS5 District and local centres in Telford

CS8 Regeneration

CS9 Accessibility and social inclusion

CS10 Community facilities

CS12 Natural environment

CS13 Environmental resources

CS15 Urban design

Saved Wrekin Local Plan Policies:

UD2 Design criteria

UD4 Landscape design

UD6 Major transport corridors and gateways into Telford

LR1 Provision of community facilities

LR4 Outdoor recreational open space

### **PUBLICITY AND CONSULTATION:**

This application was advertised in the local press and on site (6 notices) as an application of major significance. In addition 358 consultation letters have been sent out to notify of the planning application.

A statement of community involvement was submitted with the application which summarises the consultation process.

In December 2009 a public exhibition was held regarding the outline plans for housing, open space, supermarket and to relocate the Phoenix school.

During 2011 a number of smaller project team, key partner and design user group (including staff and pupils of the existing Phoenix school) workshops took place before an open day was held at the Birse site on 11th August.

## CONSULTATION RESPONSES:

**Dawley Parish Council** is extremely concerned about the loss of the footpath (266 or GD33A). The people of Dawley were under the impression that the closure of the footpath was temporary not permanent. The alternative path proposed to the High Street will be difficult for the elderly and the young to manage. The Parish suggest a replacement path is put in, cutting across above the mid-level sports field and joining the retained bridleway (maybe a fenced walkway running between the playing fields, with gates onto the fields, for school use only) with a few benches along this path to replace those taken from the original path.

In addition the Parish are concerned that there are no swimming pools at all in this area of Telford, swimmers have to travel either to Wellington, Oakengates or Madeley and if they are travelling on the bus, this increases the overall cost.

The Council's **Urban Designer** considers that the proposal is much improved following pre-application discussions and amendments, the school design and plaza floorscape to the entrance of the new school have been given consideration and as such has no objections.

The Council's **Highways Engineers** after consideration and amendment to plans have no objections in principle but require further details to the submitted plans for clarity under the Outline permission.

The Council's **Rights of Way Officer** has no objections to the proposed changes to the rights of way network. The changes were agreed by the various interest groups sitting on the local access forum.

The Council's **Road Safety & Sustainable Transport Officer** is content that there is little opportunity for conflict between pedestrians and traffic on the retained Right of Way but expresses concern the enclosure of this facility may encourage opportunity for anti-social behaviour.

The Council's **Geotechnical Engineers** raise no objections to the proposal subject a slope stability assessment being provided for the BMX track and a condition regarding piling design.

The Council's **Drainage Engineer** has no objections in principle if the development is in accordance with the submitted details and with the drainage conditions and informatives as set on the outline permission.

The Council's **Environmental Health Officers** have considered the information submitted and have no objections to the proposal but a condition regarding the detailed design and hours of operation of the floodlights to be agreed with them and the LPA in writing.

The Council's **Outdoor Recreation Officer** requests details of the BMX track development.

The Council's **Sustainability Officer** expresses concerns on the basis that the build design will not achieve BREEAM 'Very Good' nor will it adhere to the revised sustainability principles that were revised for the BSF programme.

The Council's **Ecology Officer** states that there is a high botanical diversity across the site but requires further details under the Outline permission.

**Natural England** has no objections subject to the mitigation plans provided in the outline application for this proposal is followed through carefully as required by the outline conditions.

**Environment Agency** has no objections in principle subject to conditions and the following comments:

The proposed development is in Flood Zone 1 (low risk of fluvial flooding). We support the general drainage strategy as shown in the master plan for the site and which we previously commented on. The school drainage ties in with that drainage strategy and consequently we have no objections on this basis.

As highlighted in the drainage strategy, the intermediate works involved in developing the site also have the potential to cause pollution and flood risk. The developers should therefore ensure that care is taken during the construction phase to minimise and control site run-off.

The current application forms part of the overall Dawley regeneration scheme. Previous ground investigations undertaken at the site showed parts of the site could not be investigated due to access restrictions. Therefore further detailed should be submitted to demonstrate that the site for the proposed development has been investigated and that there is no risk of contamination to controlled water receptors.

The drainage strategy for the Dawley Regeneration site shows that infiltration drainage is not appropriate due to the nature of the fill material. Therefore the drainage strategy for the New Phoenix School as submitted by Couch Consulting Engineers is considered to be acceptable and should be implemented. No infiltration of surface water to the ground is permitted.

It is understood that CFA piling foundations are to be used at the site. This is our preferred foundation option at this particular site and should be implemented.

#### Recommended conditions

1. Contamination assessment
2. Verification of remediation
3. Contamination strategy
4. No filtration of surface water drainage

**Sport England** has no objection in principle, but requires details of construction of sporting provision and community access arrangements be provided under the Outline permission.

**Shropshire Fire Service** has no objections to the proposal subject to informatives relating to access for emergency vehicles, water supplies for fire fighting and sprinkler systems.

**West Mercia Police** wish to be involved in the secured by design process through a planning condition.

**Severn Trent Water** has no objections subject to a condition regarding drainage plans for the satisfactory disposal of surface water and foul sewage.

**South Telford Rights Of Way Partnership (STROWP)** is concerned regarding the partial extinguishments of 295 metres of footpath 266 (Dawley Way). The footpath is a strategic link in the footpath network and state the alternative route proposed is less direct, less attractive, longer, less accessible and fail to link with the PRow network. Mitigation is sought for the stopping up of PRow 266, reprinting of leaflets and toward surface improvements in the South Telford area.

**The Ramblers** object due to the apparent loss of a number of important rights of way.

Comments are still outstanding from **Shropshire Wildlife Trust** and the Council's **Landscape Officer**.

One letter from a **local resident** has been received regarding the need for a gated vehicular access to the rear of New Street.

#### **PLANNING CONSIDERATIONS:**

The role for Members at Plans Board is to acknowledge the existence of the Outline Permission where the principle has been established and to consider the reserved matters comprising Access, Appearance, Landscaping, Layout and Scale.

In terms of design, there have been three guiding influences that have impacted on this proposal. Firstly the requirements of the client in terms of the physical function and needs of the school; secondly, the physical constraints placed on the development from the site's mining legacy; and, thirdly, from Government's changing funding programme that has necessitated a re-think and move away from an entirely bespoke design solutions for our schools.

Through the outline planning application, the new school was identified to play an important role in the regeneration of Dawley. The main school building will occupy an elevated and focal position and thereby have a strong visible presence. The position and alignment of the entrance (west elevation) will

face the public square proposed as part of the wider regeneration proposals and forming an extension of the High Street. This entrance point comprises a curved feature on the school buildings and will attract attention on the approach from Dawley High Street.

The associated sports fields and pitches will occupy the majority of the Portley Corner and Paddock Mount areas. The earthworks will create level pitches potentially separated by spectator terraces, taking advantage of the ground level changes over the site. The sports facilities will be surrounded by a landscaping buffer to respect the original context of the site from wider views as an area of open space.

Detailed discussions have taken place and particular attention has been given regarding the elevation treatments of the buildings and the school plaza so that the mass of the building is broken up through design and materials.

The east and north elevations are dominated by the provision of a translucent box on a solid base to incorporate lighting, graphics and colour in combination so that the building will read different at night to the day, acting as a beacon on the hill within the community.

The South elevation of the “teaching” block was originally considered to be uninspiring. However perforated brickwork, and the geometric pattern incorporating coloured panels (final colour to be confirmed through materials condition) creates a rhythm on the façade. The gable and further definition at eaves level to create shadow create interest and soften this lengthy elevation.

The scale of the buildings varies from 8 metres high for the “teaching” block to 12 metres high to the parapet for the Sports Hall.

It is considered that the new school and community building will integrate seamlessly with the recently regenerated High Street.

The Service Yard and Plant Room on part of the northern and eastern elevations have been designed to be enclosed by one of the two curved features on the school buildings - a 3.5m high wall to conceal all the plant within it. Much of the plant required for the building is either in the service yard, on the roof behind a gable on the “teaching” block or behind a parapet above the focal entrance link to the two main buildings. The Plant Room itself forms a significant sculptural feature to the eastern elevation. The flues are incorporated within a brick chimney and provide interest to this elevation.

In terms of car parking provision for the school itself, through the outline permission it was intended that there be 108 spaces, however, there are 134 made available for this proposal. Given the district centre location and access to public transport this is felt adequate.

Cycle storage provision at the school is proposed at 50 to 60 bikes depending on the application documents you read. Clarification is needed and Highways

Engineers would prefer to see 10% of the school capacity being provided i.e. 90 spaces. As such a condition to finalise the detail will be added.

It was anticipated through this application that details of landscaping, sporting facilities and community access to sporting facilities would be provided for consideration. These matters are required to be addressed in line with the Outline permission.

The detailed design and access for the BMX track will be subject to a condition to supply adequate and satisfactory detail for Local Planning Authority approval within 6 months of the date of permission (should it be granted). The full use of the facility must be implemented before or on the day of opening of the new Phoenix school. In addition the Outdoor Recreation Officers concern regarding the location of Mineshaft 5 in proximity to the BMX track can be addressed as the Council's Geotechnical Engineers advise that further to the remediation works and extensive probing there is no evidence of this mineshaft, however, Engineers have requested a slope stability assessment be provided in line with this feature.

Representations have been received in relation to the loss of right of way. Whilst it is unfortunate that the direct link from Langley Fold to the High Street is lost, the matter was dealt with as an issue of principle during the outline application. Schools by their very nature require a safe and secure learning environment and a public footpath running through an insecure school site would be difficult to manage. An alternative if less direct route around the site has been incorporated into the proposal.

The new school and grounds will be designed to be fully DDA compliant and accessible to all. Where a difference in level between the building and external ground exists ramping has been proposed.

Whilst it is acknowledged that sports lighting of the rugby pitch is required, the evidence submitted does not show any adverse affect on the amenity of residents. Nevertheless it is considered reasonable to control the hours of use of this facility by way of condition to safeguard public amenity in the locality.

Inside the building daylight will permeate rooms that will be adaptable in size should requirements or specialisms change. The ventilation system employed for the buildings will be a mixed mode with some natural and mechanical methods employed. Lighting and heating methods have all been detailed. Unfortunately the applicants will not now be pursuing a certified full BREEAM assessment. There are however good design and sustainability aspects of the scheme, including the use of sustainability features, natural lighting/ventilation and M&E that will achieve an improved Energy Performance Certificate (EPC) rating and increase U-values.

In conclusion the principle of development was accepted under TWC/2011/0036. This application is for all reserved matters and given the length of time spent in both external and internal consultation a reasoned and

logical design has come forward. It is considered to comply with key community, regeneration and urban design policies in the development plan. The building and facilities will serve a wide cross-section of the community and the minimal effects on amenity are far outweighed by the positive inclusive benefits the proposal brings forward.

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

1. A03 Time limit
2. B05 Details of materials
3. B07 Samples of materials including brick panel
4. B13 Details of enclosure
5. B14 Landscaping design
6. B18 Landscape maintenance
7. B82 Cycle facilities
8. B83 Secured by design
9. Bcustom Details of translucent lighting mechanism to be agreed with LPA
10. C38 Development in accordance with plans, drawings and documents
11. CCustom Piled foundation solution
12. CCustom Sports pitches in accordance with design principles set out in STRI report dated 21<sup>st</sup> June 2011
13. CCustom Details of design, construction, slope stability, public access and hours of operation of BMX facility within 6 months of permission and operational prior to school opening
14. D11 Details of design and hours of operation of sports lighting to be agreed with LPA and Environmental Health
- I21 Pollution control
- I28 Disabled access
- I32 Fire authority
- I40 Conditions in accordance
- I41 Reasons for grant of planning permission
- ICustom Submission of further details for highway, landscaping and sporting provision / community access is to be provided in line with the Outline permission.

**REASON FOR APPROVAL:**

The principle of development was accepted under TWC/2011/0036. This application is for all reserved matters. The proposal is considered to comply with key community, regeneration and urban design policies in the development plan. The building and facilities will serve a wide cross-section of the community and the minimal effects on amenity are far outweighed by the positive inclusive benefits the proposal brings forward.

TWC/2011/0610 Unit 3, The Bridges Business Park, Bridge Road, Horsehay, Telford, Shropshire, TF4 3EE Change of use of unit to a Gymnasium

**APPLICANT**

, Mr Vishav Singh

**RECEIVED**

22/07/2011

**PARISH**

Dawley Hamlets

**WARD**

Horsehay and Lightmoor

This application has been referred to Committee

*THIS APPLICATION HAS BEEN REQUESTED TO GO BEFORE PLANS BOARD BY CLLR CLIVE MOLLETT*

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: The impact of the proposed change of use on the character and amenities of the area, loss of employment.

**THE PROPOSAL:**

The application is to change the use of the industrial unit to a gymnasium which would be open into the evenings. There are no external changes proposed and no internal alterations have been specified.

**SITE AND SURROUNDINGS:**

Unit 3 is one of three vacant industrial units on the The Bridges Business Park, which is a small Council owned industrial estate situated on Bridge Road in Horsehay. The estate is comprised of two-storey small to medium-sized units, and all the units face onto a formal car-parking area in the middle of the estate. There are security gates at the entrance to the industrial estate from the highway.

There is a mix of land uses in the surrounding urban area, an older industrial estate adjoins to the west, and there is a housing estate to the east. Unit 3 and the adjoining units are separated from this housing by a landscaped bank. The site is within the Horsehay and Spring Village Conservation Area.

**PLANNING HISTORY:**

W97/0556 Installation of roller shutter door and erection of 3m flue (Unit 3) (FG)

W96/0681 Erection of entrance gates (FG)

W93/1044 Erection of 11 industrial units (FG)

**PLANNING POLICY CONTEXT:**

LDF Core Strategy Policies:

CS2 Jobs

CS15 Urban Design

Wrekin Local Plan 'saved' Policy UD2

National Planning Guidance: PPS1 Delivering Sustainable Development

## CONSULTATION RESPONSES:

Dawley Hamlets Parish Council have no comments to make on the proposal  
Highways: No objection  
Built Heritage Conservation: No comments  
Geotechs: No comments

Three emails have been received from other occupiers of the estate: one email objects on the grounds that the change of use would reduce security, result in pressure on parking provision, and would be an inappropriate use on a commercial estate. (Macpress)

A second email raises the problem of anti-social behaviour on the estate in the evenings, and that the opening hours of the gymnasium would allow access during the evening. The use would put a strain on the existing parking provision. (Employment Link)

The third email received raises concerns about parking provision and security issues. (Unit 11)

## PLANNING CONSIDERATIONS

The site is not within a designated employment area on the Wrekin Local plan, accordingly the unit can be considered for a non-employment use. The proposed gymnasium would not conflict with other uses and similar facilities exist within other employment areas within Telford. Therefore the principle of the loss of an employment unit to a leisure facility is acceptable.

The proposal will retain the existing parking facilities, providing six spaces (including two disabled spaces) to the front of the unit. The provision of four cycle spaces would encourage sustainable modes of transport.

Potential parking issues have been raised, however it is likely that the proposed gym will be at its busiest in the evenings when most other units would be closed for the day. During the day no significant under supply of parking spaces has been observed within the estate and there do not appear to be the problems of informal on-street parking associated with other employment areas of Telford. Therefore it is considered that the proposed change of use would not prejudice the existing parking provision, even allowing for the currently vacant units.

The proposal will provide employment for the equivalent of three full-time employees opening between the hours of 06:00 hrs to 22:00 hrs Mon – Fri, and 08:00 hrs to 20:00 hrs Sat, Sun and bank holidays

The proposed opening of the gymnasium into the evening could positively contribute to security on the industrial estate and natural surveillance. The extended opening hours would encourage bona fide activity on the industrial estate in the evening which would not adversely affect the amenities of the surrounding area and the applicants have expressed their willingness to work with the Council to monitor the car-park area, and this would have a positive

impact on security in the area. If however, issues become apparent, the Council as landlord, could impose alternative hours of use, however this is not anticipated. Furthermore conditions can also be imposed in the lease to ensure that the gates to the site are locked at the end of the day.

The use of planning conditions to ensure that the proposal does not change into any other leisure use can be imposed to further control the development and its impact on the adjacent area.

Therefore in conclusion, it is considered that the proposed change of use would be acceptable and the evening opening hours would not have an adverse impact on the character of the area. It is not considered that the proposed use would result in a shortfall of available parking space.

There are no external alterations proposed to the building. Accordingly the proposal complies with the relevant local and national planning policies listed above.

**RECOMMENDATION: GRANT PLANNING PERMISSION** for the proposed change of use subject to the following conditions:

1. A04 Time limit
2. C38 Development in accordance with plans
3. D06 Restriction on use (no other use within Class D2)
4. D11 Hours of work general

**REASONS FOR APPROVAL:**

The proposed change of use would not have an adverse impact on the character of the area and would not prejudice the use of the industrial estate for other occupiers. The proposal would have little impact on the amenities of the surrounding area.

TWC/2011/0666 Communication House, 135 Watling Street, Wellington, Telford, Shropshire, TF1 2HN Change of use from offices (B1) to pizza delivery outlet (A5)

**APPLICANT**

, Mrs Linda Bird

**RECEIVED**

26/07/2011

**PARISH**

Wellington

**WARD**

Arleston

THIS APPLICATION IS PRESENTED AT PLANS BOARD FOR DETERMINATION BY MEMBERS FOLLOWING DISCUSSIONS WITH COUNCILLOR MCCLEMENTS AND IS TO BE CONSIDERED IN CONJUNCTION WITH TWC/2011/0748

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Number of existing takeaways in vicinity, Impact on amenity, Highway safety, Design and appearance; previous refusals in the area to proliferation of use

THE PROPOSAL: The application seeks planning permission for a change of use of the existing office unit (Use Class B1) to a hot food take away (Use Class A5), which will be used as a pizza outlet, providing deliveries in addition to collection facilities.

**SITE AND SURROUNDINGS:**

The application site comprises an existing established office unit which has recently been vacated. It is a detached property located on the corner of the cross roads with Watling Street, and Dawley Road. The building is of traditional design, being 3 storey adjacent to the corner, descending at its mid point to two storey to the east of the building; a flat roof single storey extension is also evident. The building is rendered off white with red window frames, with traditional features including two chimneys of which one is an inglenook on the highway edge. The building has been altered over the years to accommodate the retail elements this includes a number of cameras on each elevation of the building; a shop front is present on the northern elevation facing Watling Street, in addition to a doorway on this corner. Three further large shop windows face Daley Road on the side elevation of the property, and a fascia sign the width of the building is situated above these windows. Again a large window and retail entrance is located on the east elevation, and a roller shutter door is present on the single storey rear element overlooking the side car park to the east of the building. This is accessed directly from Watling Street in close proximity to the cross roads. A 1-1.5m wall acts as the rear and side boundaries, with a gap for this entrance.

The adjacent cross roads are a main through route into and around Wellington Centre, controlled by traffic lights. This property and a collection of others face this cross roads. A motor cycle dealer sits opposite the site, a large modern, purpose built flat roof unit, with large pains of glazing. The car

park sits to the east of the building with access directly opposite the access to the development sites access. To the west of dealer is the Swan Hotel, a brick and timber hotel, and a private car park sat to the west of the building, with access from Mill Bank. The Cock Hotel, a grade two listed building is situated on the corner of Mill Bank and Holyhead Road, and the associated parking is situated to the west of the site. A three storey detached bed and breakfast is situated on the corner of Dawley Road and Holyhead Road.

Further along Dawley Road is the local centre of Arlestone, this includes a convenience store which is situated to the rear of the development site, in addition to a builders yard which has a residential consent for a number of houses. Further south is a row of local shops with retail above; one of which is subject to an application for change of use to a delicatessen with hot food take away which is approx. 120 metres from the application site.

Traditional two storey residential units are located to the east of the site, abutting the boundary of the site. A mix of uses are located in the wider area, being predominately residential, however further east the Telford Football ground and hotel and spa facilities are situated, in addition to a row of 3 other takeaway uses some 140m from the development site.

#### PLANNING HISTORY:

W83/0458 Change of use of cycle shop to hot food takeaway; refused on grounds of residential amenity, impact on highway safety, appropriateness of location for use, dismissed at appeal on grounds of highway safety alone.

W84/0528 – Alterations and improvements – granted

W85/0016 Change Of Use To Ground Floor Retail Sales And First Floor Office Accommodation; refused

W88/083ADS Adverts - granted

W88/108ADS Adverts – refused

W88/0893 Change of use from residential flat to professional service offices, first and second floors, approved

W93/0841 Advert consent for four internally illuminated static fascia signs, refused

W93/1088 Amendments for advert consent

#### Enforcement:

2008 – Unauthorised signage

#### Related application also considered at this Plans Board:

TWC/2011/0748 Change of use from delicatessen (Use Class A1) to delicatessen and hot food take away (Use Class A1 & A5); 45 Dawley Road, Arlestone

And its previous history

TWC/2010/0314 Change of use from delicatessen (Use Class A1) to delicatessen and hot food take-away (Use Class A5), Full refused at Plans Board in December 2010 on grounds of proliferation of take-away establishments to the detriment of the area; unacceptable noise, disturbance and anti-social behaviour; and adverse impact on highway safety

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPG13 Transport  
PPS23 Planning and Pollution Control  
PPG24 Planning and Noise

LDF Core Strategy  
CS5 District and Local Centres in Telford  
CS9 Accessibility and Social Inclusion  
CS15 Urban Design

Saved Wrekin Local Plan Policies  
UD2 Design Criteria

#### CONSULTATION RESPONSES:

Wellington Town Council raises no objection although concerns over access were raised and it was mentioned parking arrangements should comply strictly with the details set out in the application.

Cllr McClements raises objections on the grounds of:

- increased litter,
- noise from scooter deliveries, especially up to 23:00hours;
- safety of the people crossing the highway;
- parking
- anti social behaviour

Highways: no objection; due to double yellow lines; a minimum of 5 parking spaces is available in the application site; keep clear road lining is visible at the sites entrance.

Comments from the Council's Pollution Control (Environmental Health) are awaited, and will be provided in an update to Members.

Wellington Local Policing Team: does not consider there will be issues on crime and disorder; considers there would be an increase in litter in the area with discarded boxes along the street; whilst 85% of orders may be deliveries, there could be a vast distance between 6 deliveries per hour and 50 per hour, causing issues for adjacent neighbours in terms of disturbance. Concerns over road safety, due to intoxicated people leaving the pubs and crossing the road, in addition to the likelihood of only 2-3 people using the car park due to issues of turning, thus resulting in people parking on the double yellow lines, leaving hazard lights on. In their opinion just one vehicle parked illegally outside the premises for a couple of minutes would cause considerable congestion and problems at the junction.

4 letters of objection have been received from surrounding neighbours. These raise concerns on the grounds of:

- already issues with regard to criminal activity as a result of the nightlife in the area – cars being spray painted, and outbuildings vandalised

- immediately adjacent to a residential property; impact on residential amenities on this property and others; noise, smell disturbance etc
- vent will be visible from adjacent property , resulting in impact of noise and smell on this property;
- high concentration of takeaways in the area; in addition to pizza deliveries which cover larger areas of Telford
- Change in hours of use, mainly after 6.30, where as existing hours the offices are closed by then and will therefore impact on the adjacent residential amenities.
- Information provided is vague – calculations of 85% delivery and 15% collection are irrelevant – if 15% is 100 people per hour, 85% would be huge amount into the late evening.
- People unlikely to use car park – parking on the highway, blocking traffic, or blocking residential access points.
- If granted, will open the door to future manipulation of trading conditions
- Ancillary items to pizzas could also be purchased (ie drinks, side orders) which will be discarded, increasing litter
- Considers car park could be used for congregation and anti social behaviour, in addition to the adjacent footpath and builders yard
- Traffic parking on other car parks not associated with the site – ie public house
- Location too close to the junction that is always very busy
- Cars will park on pavements
- Delivery cars and mopeds would make more noise at night
- Already 3 takeaways in area
- Impact on economy of area – detract from people staying at the bed and breakfast
- Need for a pizza delivery in this location

#### PLANNING CONSIDERATIONS:

The application is for the change of use form an office unit to a hot food takeaway. Having visited the site and inspected the planning history, it is considered the unit may have been more a retail unit at ground floor with residential accommodation above; rather than an outright office as the application suggest. Nevertheless the application to change into a hot food takeaway requires consent.

Previously under the GPDO Use Classes Order 1987, cafés, restaurants, bars and takeaways all fell within A3 use class; however when the Order was amended in 2005 and 2006, this category was subdivided into A3, A4 and A5. A3 now comprises restaurants, snack bars and cafés, A4 pubs and bars and A5 takeaways. This revision to the Order was intended to enable local authorities to have greater control over town centre development and control the proliferation of pubs and takeaways etc.

Policy CS5 of the Core Strategy outlines Local Centres such as Arlestone will be the focus for accessible local services and small scale community facilities

to meet people's day-to-day needs. The mix of uses within a local centre should be carefully managed. Development must assist in creating vibrant, safe and attractive places, with design that reflects and responds to the locality. In this case it is considered that the three hot food takeaways which exist in the locality is sufficient to meet the needs of the area, located some 140m from the site, is still within an accessible location. Whilst it is noted that these 3 outlets do not cater specifically for pizza, it is not the role of the local planning authority to specifically restrict the type of food provided.

Furthermore consideration also needs to be made to the current application for a hot food takeaway within 120m of the site, which was previously considered and refused by member of plans board which included the reasons of proliferation of takeaway facilities and the loss of a retail unit. If both the Halal food take-away and the pizza take-away were permitted, there would be 5 take-away establishments within approx. 300 metres within this predominantly residential area. Officers do not consider that a planning condition to restrict the A5 use to Pizza delivery is reasonable as it would be unduly restrictive and would not meet all of the six tests for planning conditions as set out in Circular 11/95: Use of conditions in planning permission, where conditions should be necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. Officers need to consider that an application to vary the condition could later be submitted, changing the use to any other takeaway facility; the Council would have to consider the difference between the uses and it is considered that there is very little difference from this being a pizza outlet to any other take away facility such as a Chinese or Indian which also provide deliveries; and as such any condition would not withstand an appeal.

Given the changes to the GPDO, the specific policies relating to A3 use in the Wrekin Local Plan have not been saved; thus the most relevant policies for the consideration of the proposal are deemed to be national guidance contained in PPS23 and PPG24. In addition, these policies are considered of particular relevance given the concerns raised regarding potential impact on residential amenities caused by noise, odour and disturbance from the unit.

PPS23 states that any consideration of the quality of land, air or water and potential impacts arising from development, leading to potential health issues, can be a material planning consideration, and that the planning system can play a key role in assessing the location of development which may give rise to pollution, and in ensuring that other uses and developments are not affected by existing or proposed sources of pollution. The Precautionary Principle should be followed if there is likelihood that the development or use could have harmful effects on health or the environment. The planning system plays an important role in controlling and preventing harmful development. The only external change relates to the installation of the extraction vent to the rear of the building. A vent in this location will not work as in needs to clear the height of the building as such will need to be a flue clearing the full height of the three storey building; this would therefore be an have a detrimental impact by virtue of ineffective extraction methods and as

such does not meet the requirements of PPS24. The design and access statement discusses an extraction flue to the rear of the property; however these plans were superseded during the registration process and as such not being considered as part of the application. If amended there would be concerns over the visual impact of such a large extraction unit.

PPG24 also recognises the importance of the planning system in controlling development that involves noisy activities, which should ideally be sited away from noise-sensitive land uses (such as established residential development). The national guidance asserts that local planning authorities must ensure development does not create unacceptable levels of disturbance, and that intensification of existing use or change of use may exacerbate such disturbance. The hours of opening are however expressed being 11:00 to 23:00 hours Monday – Sunday including bank holidays. Taking account of the concerns raised by local residents, due to the location of the adjacent dwelling, and the residential consent behind the site it is considered that the proposal will have a detrimental impact on the amenities of adjacent residents. Whilst it is noted this is a busy location, the proposal will introduce further disturbance through noise and disturbance to a late hour, where traffic will be lower, and the noise of motor vehicles, car doors shutting and scooters starting up will impact on adjacent amenity.

The applicant discusses the issues of residential amenity in the design and access statement, however considers the residential units above should be discounted as these are within the applicants ownership. The Local Authority considers whilst there is an element of buyer beware in some circumstances, it is the role of the local authority to protect existing amenity and in this case the proposal does not sufficiently address these impacts.

The application form does not provide any information with regard to previous employment on the site or any proposed employment. It is also noted the applicant has failed to provide details on area to be changed from office use to take away facilities.

In terms of highway safety, the Highways Engineer has raised no objection in this regard. Whilst there is a car park to the side, the points raised by the police officer are considered valid, it is human nature to look at tight car parks, and where there may be space to pull in but there are concerns over parking people will take the easy option, and park on double yellow lines or in front of neighbouring properties, prejudicing the safety and freeflow of highway users. With regard to the issues relating to intoxicated persons crossing the roads, it is considered there are sufficient areas to cross the road.

Issues have also been raised with regard to litter; it is considered that if members considered the proposal acceptable, conditions could be imposed to supply litter bins / recycling facilities outside the premises to ensure the boxes and associated rubbish are disposed of appropriately.

The applicant has provided details of the proposed tenant, who is a national company who does not have a local presence. This does not provide

sufficient evidence to suggest why this location is appropriate over the Local Planning Authority's concerns as detailed above.

In conclusion, it is considered the proposal will result in the proliferation of takeaways within this local centre, and will result in the loss of residential amenities, intensifying and already busy area into the late hours. Furthermore the proposal will not provide sufficient extraction to the kitchens resulting in a loss of residential amenity to the flats above and the adjacent proposed and existing residents. The proposal will also have a detrimental impact on highway safety and accordingly does not comply with local or national planning policies.

**RECOMMENDATION:** to REFUSE PLANNING PERMISSION for the following reason(s):

1. The Local Planning Authority considers the proposed change of use to a take-away facility is unacceptable as it would result the proliferation of take-away establishments within the Arlestone locality, and consequently would be detrimental to the character of the predominantly residential area. Subsequently the proposal would be contrary to Policies CS5, CS9 and CS15 of the Core Strategy.
2. The Local Planning Authority considers the proposed change of use is inappropriate in this location as it would result in an unacceptable level of noise and disturbance caused by customers and vehicle movements, to the detriment of the adjacent properties in a predominantly residential area. Accordingly the proposal is contrary to Policy CS9 & CS15 of the Core Strategy and national guidance contained in PPG24 Planning and Noise.
3. It is also considered that the proposed development will have an adverse impact on highway safety caused by the increase in traffic and the existing parking inadequacies which are shared by residents and retail users. Consequently the proposal would be contrary to Policy CS15 of the Core Strategy and PPG13 Transport.
4. The Local Planning Authority considers that insufficient detail has been submitted to satisfy the Authority that the proposed extraction fan adequately deals with emissions produced by the hot food takeaway, to the detriment of the existing residents above the proposed facility and adjacent to the site resulting in a loss of amenity. The proposal therefore conflicts with national guidance contained within PPS23: Planning and Pollution Control.

TWC/2011/0686 Newport Girls High School, Wellington Road, Newport, Shropshire, TF10 7HL Erection of extensions consisting of 4no. classrooms and a multi purpose hall, with the erection of a temporary classroom block

**APPLICANT**

, Guy Kershaw

**RECEIVED**

03/08/2011

**PARISH**

Newport

**WARD**

Newport West

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Design, Appearance, Loss of Open Space

**THE PROPOSAL:**

This planning application relates to the erection of four permanent classrooms and a multi-purpose hall, and the temporary erection of a demountable classroom unit, at the Newport Girls High School, Wellington Road, Newport.

The proposed development forms part of the wider BSF proposals for Telford & Wrekin. The current permanent accommodation is under-provided at the school, and is at present supplemented by a number of temporary demountable units. This scheme is intended to partially resolve the on-going problems caused by the lack of permanent accommodation within the school site.

The proposed construction work will see the permanent replacement of four classrooms currently located within one of the demountable units, and the provision of a new multi-purpose assembly/sports hall.

The sports hall would be a replacement for the existing smaller hall and would be capable of accommodating the whole school population for assemblies and other occasions. It would also be used for general sporting activities, including the provision of two badminton courts. The hall would be located immediately to the rear of the existing school buildings within part of the existing playing fields, although no useable sports pitches would be affected.

The proposed development also includes placing a demountable unit on one of the existing tennis courts for a temporary period. This would accommodate the displaced sixth form common room, and will be needed whilst the other building works are carried out. The sixth form common room will then be transferred into an existing demountable, allowing the tennis court to be reinstated. The long term proposal would then be to provide a permanent building to accommodate the sixth form common room, but that will be the subject of a separate planning application.

The external materials of the new classroom block and the sports hall would comprise facing bricks and re-constructed stone. The pitched roof will be

constructed using Eternit slates, and the roof pitches will match those of the most recent extensions on the site.

#### SITE AND SURROUNDINGS:

Newport Girls High School lies within the built-up urban area of Newport, on the western side of Wellington Road. Bordering the school site on its northern and western boundaries is existing residential development, and to the south is another school – Moorfields Primary School. There is additional residential development on the eastern side of Wellington Road.

Car parking is located at the front of the site, with two vehicular access points onto Wellington Road. Extensive playing fields lie to the rear of the school buildings, and boundary treatments comprise a combination of hedges, walls, fences, and railings. There are also a considerable number of mature trees close to the various site boundaries.

#### PLANNING HISTORY:

W2010/0016 – Erection of a single storey extension to rear of existing school – approved

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

W2003/0082 – Erection of 5 classrooms, canteen, stores, and toilets to rear elevation - approved

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies  
Policy UD2 – Design Criteria  
Policy LR1 – Provision of Community Facilities

LDF Core Strategy  
Policy CS6 – Newport  
Policy CS10 – Community Facilities

#### CONSULTATION RESPONSES:

Three letters have been received from local residents, one raising an objection, one raising no objection, and one having some concerns. The matters raised cover the following matters:-

- Concern about the height of the sports hall roof and the external finish of the structure
- Previous building works have produced dust, noise, and disturbance for the residents of the adjoining houses; building materials and

displaced soil stored close to the site boundary blocked drainage ditches; and the site huts looked directly into gardens and bedroom windows.

- There are existing problems of vehicles parking on the service road opposite the school. Last time there was major construction works at the school many teachers and pupils parked throughout the school day on the road, pavements, and grass verges.

Newport Town Council supports the application. The Members considered that this would provide a much needed extension to this elite school, and possibly provide additional, substantial employment.

The Council's Conservation Officer has no objections to the application.

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

The Council's Geotechnical Engineer has no objections subject to an informative relating to foundations.

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

The Council's Ecologist has no objections subject to a condition and an informative relating to wildlife protection and mitigation measures.

The Council's Arboricultural Officer has no objections subject to a condition relating to fencing and tree protection.

Sport England has no objection subject to a condition relating to the removal of the demountable unit from the tennis court within 18 months from the date of the planning permission. Although the proposals would lead to the loss of an area which forms part of the school playing field, this area is not used for formal sports, and the proposed extension would not encroach any further into the playing field than the recent extension. In addition, the provision of an indoor multi-purpose hall to provide opportunities for indoor sporting activities more than compensates for the small loss of the playing field.

## PLANNING CONSIDERATIONS

The original school building was constructed in the 1920's, designed in the Queen Anne style of building. The original buildings were heavily ornamented using local stonework detailing to all external elevations, and have contrasting bands of lighter and darker red brickwork, and pitched and slated roofs.

Although not listed, the original structure is confirmed to be of 'Local Architectural Interest', and it contributes to the varied architectural heritage of Newport.

There have been a number of recent extensions to the original school building and these have predominantly been constructed at the rear of the building, thereby keeping the original architectural design on the principal road elevation intact and unharmed. These extensions have been constructed in a number of different architectural styles.

The design and appearance of the proposed development has been developed to ensure that the new buildings will be in sympathy with the scale and architectural design of the existing school buildings. The detail and design of the scheme will complement the original school and create an architectural link between the contrasting styles of the more recent extensions. The proposed facing materials will also complement those used in the other extensions on the site.

The proposed scheme has been designed so that the highest building and the largest volume of accommodation – the multi-purpose sports hall – is located the greatest possible distance from the residential properties to the north of the site, thus reducing the impact of the development upon them. Although the corner of the hall is almost 40 metres from the site boundary it has been designed with a flat roof in order to minimise the height of the building.

The new classroom block will be located between the hall and the northern boundary, and is approximately in the same position as the demountable unit it will replace. The corner of the new block is almost 30 metres away from the site boundary and in order to minimise its visual impact it will have a pitched roof that slopes away from the boundary.

Neither the new classroom block nor the sports hall would encroach any further into the playing field than the recently erected extensions.

The proposed development takes place at the rear of the existing school buildings. Only glimpses of the sports hall will be visible from Wellington Road, and then only in a small number of places, owing to the two storey element of the existing school building and the large number of trees along the road frontage. Therefore it is considered that the new development will not have an adverse effect on the overall architectural integrity and setting of the older school buildings.

Since the development involves the replacement of existing demountable accommodation there will be no resulting increase in the number of pupils attending the school. In addition, by siting the proposed buildings at the rear of the existing property the resultant extensions will not reduce or affect the existing car parking provision within the school site. However, to ensure that no parking problems are created in the future as a result of the proposed development a condition will be imposed stating that the sports hall shall only be used by the pupils and staff of the school.

It is considered that the proposed development will not adversely affect the character and appearance of the site and the surrounding area, or have a

detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development in the vicinity of the site.

The problems caused by the building works relating to the previous school extensions, which have been referred to by local residents, have been brought to the attention of the applicants who state that they will do everything possible to prevent such problems occurring again.

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

1. A04 Time limit
2. B06 Samples of materials
3. C38 Development in accordance with submitted plans
4. Tree Protection measures
5. Drainage Discharge Rates
6. Implementation of wildlife mitigation measures
7. School hall shall only be used by pupils and staff of Newport Girls High School
8. Demountable building to be removed from the tennis court within 18 months from the date of this permission

**REASON FOR APPROVAL:**

The design and appearance of the proposed development has been developed to ensure that the new buildings will be in sympathy with the scale and architectural design of the existing school buildings. The detail and design of the scheme will complement the original school and create an architectural link between the contrasting styles of the more recent extensions. The proposed facing materials will also complement those used in the other extensions on the site.

The proposed development will not adversely affect the character and appearance of the site and the surrounding area, or have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development in the vicinity of the site.

TWC/2011/0738 Shortwood Primary School, Limekiln Lane, Wellington, Telford, Shropshire, TF1 2JA Erection of a detached modular timber-clad classroom building

**APPLICANT**

, Mrs Susan Harris

**RECEIVED**

30/08/2011

**PARISH**

Wellington

**WARD**

Ercall

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: The main issues are the siting and appearance of the proposed environmental classroom building and its impact on the character of the surrounding area.

**THE PROPOSAL:**

Erection of a detached modular timber-clad single storey classroom building within the school grounds. The proposed building would have a 'footprint' of approximately 18.5 metres by 5 metres with an overall height of 2.5 metres. The proposal would be of eco-friendly construction with the external walls timber-clad and a 'sedum' roof. Sedum is a plant which can be grown on the roof of a building to form a 'green roof'. It is low maintenance, provides natural insulation, and reduces rainwater runoff. The building would have a hardwood timber deck on the south elevation.

**SITE AND SURROUNDINGS:**

Shortwood Primary School is situated on Limekiln Lane and has been extensively redeveloped in recent years to create a modern school with distinctive architecture and design to the main building. The school benefits from extensive grass play areas and a cricket pitch. The site for the proposed building is within the 'Forest School' site to the north of the cricket pitch. The 'Forest School' site is naturally vegetated with long grass and shrubs and features various existing activity areas, such as 'wigwams'. This area is separated and enclosed by a timber post-and-rail fence with access gates near to the existing formal surfaced games court and adjoining play area.

The school is situated within a predominantly residential area, to the south of Holyhead Road. The dwellings on Holyhead Road which back onto the site have long rear gardens and there is an established hedge on most of the north boundary of the school site, which adjoins the Forest School area.

The building would be sited within the designated Green Network, however the site is part of an established school facility where there are adjoining playing fields which would be unaffected by the proposal. Accordingly, the proposal would meet the objectives of Green Network policies providing community facilities. The proposed building would not harm the function and appearance of the Green Network in this area.

**PLANNING HISTORY:**

W2008/0527 Construction of multi-use games area (FG)  
W2008/0890 Extension to nursery (FG)  
W2006/0600 Erection of a single storey primary school with access and parking, change of use and restoration of Grade II Listed barn (RMG)

#### PLANNING POLICY CONTEXT:

LDF Core Strategy:  
CS10 Community Facilities  
CS11 Open Space  
CS15 Urban design

Wrekin Local Plan:  
UD2 Design Criteria  
OL3 Green Network  
OL4 Development in the Green Network  
LR1 Provision of Community Facilities

National planning guidance:  
PPS1 Delivering Sustainable Development

#### CONSULTATION RESPONSES:

Wellington Town Council has no objections to the proposal.

Ecology: Originally objected to the proposal on the grounds that an ecological appraisal should be undertaken to determine whether any protected species are present on the development site, particularly Great Crested Newts, and what impact the proposal would have on these species. This information is required prior to determination and should inform the planning decision. The applicants have submitted further information and the response from Ecology is awaited.

Drainage: no objections subject to a condition requiring a drainage scheme to be submitted.

No responses have been received from the neighbour consultations.

#### PLANNING CONSIDERATIONS:

The proposed outdoor learning centre building would be sited to the west of the main school building, towards the north of the playing field area. The proposal is part of the 'Forest School' initiative to encourage learning in the natural environment

Although the proposal is for a relatively substantial ancillary structure, it is considered that in the context of the school site and the surrounding area, the size, mass and siting of the building would be acceptable. The building would not have an adverse impact on the amenities of the adjacent properties in terms of overlooking or loss of privacy.

The submitted site plan indicates that the proposed building would be positioned at least 16 metres from the nearest boundary to the north of the site where there is an existing verdant hedge on the boundary which provides

an adequate level of screening from the adjacent residential properties on Holyhead Road.

The 'boardwalk' and canopy elevation of the building would face into the school site away from the boundary and therefore activity associated with the building is unlikely to result in an adverse impact on surrounding residential amenity.

Following the initial objection from Ecology, the applicants have submitted an ecological report and the Ecology officer is now considering these findings. Any further comments or recommendations from Ecology will be presented to Plans Board.

The proposed building would enhance the environmental learning facilities on the school site while having little adverse effect on the amenities of the surrounding area. The proposal therefore accords with the general design and amenity objectives of the relevant local and national planning policies listed above.

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

1. A04 Time limit
2. B33 Drainage
3. C38 Development in accordance with plan Nos.

#### Informatives

I 22	Ecology informatives: Protected species
I 40	Standard conditions informative
I 41	Reasons for grant of planning permission
RAcustom	Reasons for approval

#### REASONS FOR APPROVAL:

The proposed building would be an acceptable addition to the school site, where it would enhance the environmental learning facilities for young children. The building would be of a satisfactory appearance and the site is adequately screened from the surrounding area such that the structure would not be visually intrusive and would not have an adverse impact on the amenities of the adjacent properties.

TWC/2011/0745 St Christophers Hall, Station Road, Admaston, Telford, Shropshire, TF5 0AL Demolition of existing disused Hall, modification of an existing access and erection of 2 no. detached houses served off a private drive.

**APPLICANT**

, Russell Harrison

**RECEIVED**

31/08/2011

**PARISH**

Wrockwardine

**WARD**

Wrockwardine

COUNCILLOR KIERNAN HAS REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS AT PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Highways safety, Character and appearance, Impact on residential amenity

THE PROPOSAL: The application seeks outline planning permission for the demolition of the existing disused St Christophers Hall, along with alterations to the existing access and the erection of 2 no. detached dwellings at the rear of the site served off a private drive from Station Road.

All matters except means of access are reserved for a further application. The outline application initially sought approval of the layout of the development as well; however, this has been amended to enable further consideration of the layout and siting of the dwellings at the reserved matters stage.

**SITE AND SURROUNDINGS:**

The application site covers an area of approx. 0.1 hectares and comprises St Christopher's Hall, an existing single storey timber building set back from the highway with gated entrance and hedgerow along highway frontage. Access is on to Station Road. The building is located between residential properties, a pair of red brick 1930s style semi-detached properties, No.'s 24 and 26 Station Road and a large cream rendered detached property, No.34 Station Road. The Hall is bounded by a combination of timber fencing and hedgerows to a height of approx. 1.5 metres adjacent to 26 Station Road and approx. 2 metres adjacent to 34 Station Road.

The site is narrow adjacent to the highway, but widens out beyond the existing Hall to an open undulating grassed field. There is no boundary treatment to subdivide the application site from the rest of the field; however the larger parcel of land to the north was previously granted consent for 5 detached dwellings which would be accessed from Dalefield Drive to the north.

Opposite the site entrance is a layby area serving a row of shops on Sutton Road in Admaston local centre. The surrounding area comprises predominantly modern residential development, with Bostock Close to the

northeast, Meadow Dale Drive/Dalefield Drive to the north, beyond the field where planning permission has been granted for 5 dwellings.

#### PLANNING HISTORY:

No previous planning history on this site

Adjoining site to the north, Land to Rear of St Christophers Hall/Land off Dalefield Drive:

W2003/0379 Residential Development (Outline), Outline Granted

W2006/0828 Erection of 5 Dwellings (Outline), Outline Granted

W2007/1172 Erection of 5no. Detached Two Storey Dwellings (Reserved Matters Application), Reserved Matters Granted – Planning permission has now lapsed

Enforcement case in 2007 regarding Non-Compliance with Planning Permission, Re: Work on Access commenced without supplying Landscaping details

Adjoining site to the east and northeast, Land adjacent to 5 Bostock Close:

W2007/0302 Erection of One Detached 2 Storey Dwelling and Two Bungalows with Associated Access (Outline Application), Refused and Appeal Dismissed

W2009/0524 Erection of a Two Storey Detached Dwelling, Outline granted

TWC/2011/0390 Erection of a two storey detached dwelling and detached double garage, No decision made

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPG13 Transport

Saved Wrekin Local Plan Policies

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

LDF Core Strategy

CS1 Homes

CS5 District and Local Centres in Telford

CS15 Urban Design

#### CONSULTATION RESPONSES:

Wrockwardine Parish Council: raises concern over access and egress to the site.

Highways: Following submission of amended plans, there are no objections subject to conditions B21 Parking/Turning, B22 Parking, Details pursuant of the reserved matter consent shall indicate a vehicular passing place off the access driveway, Details pursuant of the reserved matter consent shall indicate a Bin collection point off the access driveway, C21 2 m x 43 m, C23

Gates, Prior to commencement of use the access the driveway shall be surfaced in a bound material for the first 5m to the rear of the highway boundary; and Informative I11.

Drainage: No objection subject to conditions B33 (Foul and surface water drainage) and B35 (Soakaway tests)

Ecology: No objection subject to condition regarding Erection of nest boxes, and Informatives regarding Hedgehogs, Nesting Birds (Vegetation), Trenches, Enhancement planting, and Update survey.

Shropshire Fire Service: Informative regarding Access

9 neighbour letters of objection have been received. The comments are summarised below:

- Character of village has changed adversely, with 'greedy "garden grabbing" schemes' throughout Admaston
- Increased traffic congestion on Station Road, opposite busy layby and Sutton Road shops; access and visibility are poor – highway danger
- Destruction of wildlife habitat – loss of field
- Adverse impact on quality of life
- Overdevelopment – dwellings too large, limited amenity space and out of keeping with character of area
- Unsustainable location, with provision for 8 vehicles
- Bungalows/ sheltered accommodation for the elderly would be more appropriate
- Scale of development and parking provision could enable properties to become commercial premises or be subdivided
- Proximity of development to southern boundary (26 Station Road) and limited screening comprises low fence and small fruit trees thus loss of view
- Orientation of the properties
- Overlooking
- Drainage/sewers insufficient and waterlogging of site
- Security of existing properties – driveway would provide more public view. Driveway should be gated.
- Construction materials for driveway to minimise noise and disturbance – not loose gravel
- Proposal is in addition to housing development already permitted on adjacent site
- Planning permission for 5 dwellings to north has lapsed
- Refusal of similar development on adjacent land (adjacent to 5 Bostock Close) on grounds of density and adverse impact on residential amenities in terms of privacy, outlook and overlooking
- Plot of land to east is currently undeveloped but will be developed in near future. Hedgerow and trees on eastern boundary are not in applicant's ownership
- Refusal of planning permission in 2002 for a new dwelling on Station Road due to highway reasons

- Inconsistencies and confusion in application form/Design & Access Statement
- Unnecessary development – currently 3 large detached properties unsold in Admaston
- Green notice must be publicly displayed

#### PLANNING CONSIDERATIONS:

The application site has no formal designation within the Wrekin Local Plan and can therefore be considered for development. This application is for outline planning permission including access and all other matters to be reserved for later approval.

The site is located in a relatively sustainable location adjacent to local shops within Admaston in a predominantly residential area, with a bus route on Wellington Road and Shawbirch Road approx. 150 to 200 metres from the application site.

Access to the site will be from Station Road utilising the existing vehicular access point. Amended plans have been submitted to meet Highways' requirements incorporating a passing place and bin collection point. It is considered that the increase in traffic on to Station Road would not be significant and that there would be sufficient visibility to ensure safe access and egress from the site. There are no highways objections in principle subject to conditions. Accordingly the access and parking arrangements are considered appropriate and the development would comply with Policy H6 and PPG13.

The existing Hall and associated land is no longer required by St Christopher's Hall Trust since the Trust relocated to part of Admaston House on Wellington Road. The position of the existing timber Hall building follows the building line of much of the residential development on Station Road; however the site of the proposed pair of detached dwellings is at the rear of the existing development, and officers have requested that the Agent demonstrates how the proposal relates to the surrounding development, as on its own, the proposal would set a precedent for sporadic backland development in the locality. The amended plan has indicated the position of the dwellings in relation to the scheme on the larger northern part of the field. In addition the Agent has submitted an email from the developers of the adjoining site to confirm that they intend to resubmit an application for housing, (the reserved matters consent has expired). In this regard, the site of the proposed pair of detached dwellings is considered to be a suitable infill plot within the built-up area of Admaston. There would be no physical link through to Dalefield Drive, but the two developments would be related, in terms of the indicative siting and form. The principle of developing the field associated with St Christopher's Hall for residential development has previously been agreed; therefore the development would be in keeping with the context of proposed development.

Approval of the layout is no longer sought at this outline planning stage; following concerns raised by officers that the scale and orientation of the

proposed dwellings and the distance from the boundaries with adjoining properties could have a detrimental impact on residential amenities, in particular to No.26 Station Road and the proposed new property adjacent to 5 Bostock Close. However officers consider that two dwellings on this site can be accommodated without significant impact on residential amenity, by reducing the size of the dwellings and repositioning them further from the south and east boundaries, and with appropriate landscaping, along with the internal layout of the dwellings to minimise overlooking issues. The details regarding 'layout', 'scale', 'appearance' and 'landscaping' will be submitted in the application for reserved matters.

Wrockwardine Parish Council and the neighbour comments are noted. The concerns regarding highway safety can be addressed through appropriate conditions. Officers have considered issues regarding the scale of the development and impact on adjoining residential amenity, and these details will be submitted at reserved matters. Whilst the field will be lost, this is not public open space/recreation area. In terms of impact on wildlife, conditions and informatives shall be added. Conditions shall be imposed to ensure that the development can be adequately drained. It is not mandatory to display the green notice on site.

In conclusion, the principle of residential development is considered acceptable in this location and the proposal for 2 residential units would be appropriate, in keeping with the character and appearance of the area, and will not have a detrimental impact on the residential amenities of adjoining properties. The proposed new access can be accommodated without detriment to highway safety. Subsequently the proposal complies with both Local and National Planning Policy.

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

1. A01 Time limit
2. B02 Standard outline some matters reserved
3. B03 General details required
4. B06 Samples of materials
5. B07 Sample panel
6. B11 Details of doors and windows
7. B14 Landscaping design
8. B21 Parking/Turning
9. B22 Parking
10. B23 Onsite construction
11. B33 Foul and surface water drainage
12. B35 Soakaway tests
13. Bcustom Details pursuant of reserved matter consent shall indicate vehicular passing place off access driveway
14. Bcustom Details pursuant of reserved matter consent shall indicate Bin collection point off access driveway
15. C21 Visibility splays of 2 m x 43 m
16. C23 Gates

17. C38 Development in accordance with plans
18. Ccustom Prior to commencement of use access on driveway shall be surfaced in bound material for first 5m to rear of highway
19. Ccustom Erection of nest boxes
20. D03 Domestic garages: restriction on residential use

**REASON FOR APPROVAL:**

The principle of residential development is considered acceptable in this location and would be appropriate, in keeping with the character and appearance of the area, and will not have a detrimental impact on the residential amenities of adjoining or proposed dwellings. The proposed new access can be accommodated without detriment to highway safety.

TWC/2011/0748 45 Dawley Road, Arleston, Telford, Shropshire, TF1 2HW  
Change of use from delicatessen (Use Class A1) to delicatessen and hot food  
take away (Use Class A1 & A5)

**APPLICANT**

, N Afzal

**RECEIVED**

02/09/2011

**PARISH**

Wellington

**WARD**

Arleston

THIS APPLICATION IS PRESENTED AT PLANS BOARD FOR DETERMINATION BY MEMBERS FOLLOWING DISCUSSIONS WITH COUNCILLOR MCCLEMENTS WITH REGARD TO THE PREVIOUS APPLICATION TWC/2010/0314 (REFUSED BY MEMBERS), AND IS TO BE CONSIDERED IN CONJUNCTION WITH TWC/2011/0666

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Previous planning refusal, Number of existing takeaways in vicinity, Impact on amenity, Highway safety, Design and appearance

THE PROPOSAL: The application seeks planning permission for a change of use of the existing retail unit from a delicatessen (Use Class A1) to a combined delicatessen and hot food take away (Use Class A1 & A5) within the row of shops in Arleston.

The application is a resubmission of the previous application TWC/2010/0314 which was refused at Plans Board, with a reduction in the proposed opening hours and the recommendations made by the Police incorporated in the amended scheme regarding CCTV and no gaming machines. In addition, further information has been submitted to emphasise that the takeaway will provide Halal meat in its meals.

**SITE AND SURROUNDINGS:**

The application site comprises an existing established shop unit with internal floorspace of 70sqm, currently operating as a delicatessen, which is positioned at the end of a row of shops in Dawley Road, Arleston, with 2 floors of residential accommodation above. The unit has a metal vent on the side gable wall, providing extraction for food cooked in association with the delicatessen. The building is a modern brick flat-roofed building.

A communal car parking area is located to the front of the units and the building is located within a predominantly residential area on the edge of Wellington, and has a row of shops. It is not a designated District Centre, but would be considered to be a Local Centre. There are currently no take-away units within the row of shops, and there is a mix of uses including the delicatessen (application site), florists, off licence, motor supplies shop and Halal butchers. A 'One-Stop' convenience store is also located on Dawley Road beyond 3 detached houses, with further residential properties opposite the application site. The nearest existing take-aways are located together

approximately 300 metres from the application site, opposite the Whitehouse Hotel on Watling Street; and there is a current application for a takeaway business at Communications House, an existing office building on the corner of Dawley Road and Watling Street, which is approx. 120 metres from the application site.

#### PLANNING HISTORY:

TWC/2010/0314 Change of use from delicatessen (Use Class A1) to delicatessen and hot food take-away (Use Class A5), Full refused at Plans Board in December 2010 on grounds of proliferation of take-away establishments to the detriment of the area; unacceptable noise, disturbance and anti-social behaviour; and adverse impact on highway safety.

Enforcement cases regarding change of use to take-away (2010) and roller-shutter (2007)

At adjoining units, change of use to A3 use (the former use class which encompassed cafés, pubs and takeaways) has been refused –  
51 Dawley Road – W94/0479 Full refused as contrary to Policy S12 of the adopted Local Plan and impact on residential amenities  
53 Dawley Road – W97/0753 Full refused as contrary to Policy S12 of the adopted Local Plan, Policies S27 and S29 of the Amended Draft Local Plan

The policies in the Wrekin Local Plan that were referred to in the above refusals are not saved or are no longer relevant to Arleston (e.g. whilst S12 is saved, it refers to 'Newport Retail Frontages').

Related application also considered at this Plans Board:

TWC/2011/0666 Change of use from offices (B1) to pizza delivery outlet (A5) at Communication House, 135 Watling Street

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPG13 Transport  
PPS23 Planning and Pollution Control  
PPG24 Planning and Noise

LDF Core Strategy  
CS5 District and Local Centres in Telford  
CS9 Accessibility and Social Inclusion  
CS15 Urban Design

Saved Wrekin Local Plan Policies  
UD2 Design Criteria

#### CONSULTATION RESPONSES:

Wellington Town Council objects to the application on the following grounds:

- fumes from the fans and noise nuisance likely to affect the quality of life for residents of the flats above and neighbouring properties

- It should also be noted that many shops and restaurants in Wellington do stock and sell halal meat, contrary to the claim made in the application

Highways: no objection

Comments from the Council's Pollution Control (Environmental Health) are awaited, and will be provided in an update to Members.

Wellington Local Policing Team: The following comments have been provided in relation to the amended scheme:

- Has had regard to the submitted information, anti-social behaviour statistics for the previous 6 months, discussions with local police, residents and community groups as well as one of West Mercia Police's Crime Risk Managers
- Concern raised at inaccurate and misleading information contained in the Design & Access Statement that infers comments were received from "a local Community Support Officer", and that the application has received "support from the Chief Officer of the local Police Station offering a retraction of the previous letter". Neither of these comments are correct; however the Inspector of the Wellington Local Policing Team is happy to consider the revised scheme with regard to the potential community impact
- Reduction in hours is encouraging; however, rather than closing at 9.30 as proposed, 9pm would be more appropriate and in line with the adjoining unit "The Booze Stop"
- Takeaway will lead to increased noise, litter and footfall in the area; and some customers will consume the food purchased in the immediate vicinity, close to residential properties
- May lead to an increase in traffic and associated problems, e.g. unlawful parking in bus stop
- Installation of litter bin outside premises is required
- In previous 6 months, the statistics for crime and disorder have reduced in the vicinity of Dawley Road and the shops. 'Of the 13 crimes reported, the majority relate to shoplifting although offences of criminal damage, possession of drugs and Public Order have been recorded within the locality and during the proposed opening hours. There have been 19 incidents of Anti-Social Behaviour of which 6 related to drunkenness and 6 related to general noise and behaviour, including reports of rowdy youths gathering'.
- Takeaway would be used by the general public, not only the Muslim community, thus it would become a focal point for youths to gather and may result in anti-social behaviour
- Proposal to introduce CCTV and not to install gaming machines is supported
- Understands the increase in noise, litter and groups gathering must be balanced against the provision of an additional service (Halal food) for the community

- Reduction in crime improves the quality of life of local residents; however the issues of anti-social behaviour continues to be a cause for concern for local people.

Wrekin Housing Trust: There are still issues with anti-social behaviour, parking would be a problem and smells from the food would cause issues for the Trust's tenants within the residential flats above 45 Dawley Road.

There has also been a significant amount of support for the proposal, and letters of support have been submitted with the application from groups such as Telford Central Mosque, Shropshire Islamic Foundation and Telford and Wrekin Connecting Communities Group.

43 individual letters and 20 duplicate letters pledging support for the proposal have been received, with the following comments:

- Much needed facility, providing high quality food and is the only one of its type in the area
- Local people need an accessible takeaway - Wellington is too far without transport
- Takeaway would benefit local community
- Only Chinese takeaways within walking distance – no halal food available

10 letters of objection have been received from local residents with the following comments:

- Proximity of application site to residential properties, in a predominantly residential area
- Odours emanating into the flats above and adjoining properties from extraction, and smell from storage of waste in rear courtyard
- Litter, leading to vermin
- Noise, adversely affecting quality of life
- Previous problems of young people congregating and of incidences of anti-social behaviour outside the shops, and the situation has improved; however these problems could recur
- 3 existing takeaways within walking distance and a current application for another takeaway. There are further takeaways and other eating establishments within Wellington District Centre – no more required
- Existing parking problems – residents' driveways blocked by customer cars etc. Car park at front of shops is occupied by residents as well, and the car park is often full in the evening
- Traffic accessing and leaving site until 9.30pm
- One Stop Shop open til 11pm
- All other shops in the vicinity close by 6.30pm, and the majority are closed on Sundays
- Some of the letters of support that state there is a need for this type of facility are from organisations whose members do not live in the immediate vicinity
- Previous application turned down unanimously by Plans Board and the only difference is the reduction in opening hours

- Extraction system will be 'bolted' on to side wall of building, adjacent to habitable rooms of flats, and will be substantial in height
- Devalue property
- Previous owner of delicatessen reduced staff and opening hours as it was not a viable business
- Extensive night time economy in the residential area of Arleston should not be encouraged to develop
- If planning permission granted, could set a precedent for further takeaway businesses
- Over the last 10 years, all applications for takeaways have been refused

#### PLANNING CONSIDERATIONS:

The proposal comprises the change of use of the existing shop unit from a delicatessen (A1 use class) to delicatessen and take-away (a combination of A1 and A5 use classes). The application is a resubmission following refusal of planning permission at 8<sup>th</sup> December 2010 Plans Board on the following grounds:

1. The Local Planning Authority considers the proposed change of use to a take-away facility is unacceptable as it would result in the loss of a retail unit, leading to a proliferation of take-away establishments within the Arleston locality, and consequently would be detrimental to the character of the predominantly residential area. Subsequently the proposal would be contrary to Policies CS5, CS9 and CS15 of the Core Strategy.
2. The Local Planning Authority considers the proposed change of use is inappropriate in this location as it would result in an unacceptable level of noise and disturbance caused by customers and vehicle movements, to the detriment of residents in the flats above the shops, Dawley Road and the surrounding properties in a predominantly residential area. Furthermore the proposal will lengthen the opening hours of these retail units increasing the level of disturbance to existing residential properties in an area which is already subject to a high level of antisocial behaviour. Accordingly it is contrary to Policy CS9 & CS15 of the Core Strategy and national guidance contained in PPG24 Planning and Noise.
3. It is also considered that the proposed development will have an adverse impact on highway safety caused by the increase in traffic and the existing parking inadequacies which are shared by residents and retail users. Therefore the proposal would be contrary to Policy CS15 of the Core Strategy and PPG13 Transport.

With regard to refusal reason 1, the Applicant has stated that this take-away facility will provide Halal food and is therefore serving a different function to the existing take-away establishments on Watling Street which are all currently Chinese take-aways, and would provide significant community benefits. Whilst the take-away is proposed to serve Halal food, officers must

consider the business in terms of the use class and what the unit could be changed to without the requirement for planning consent. Currently, the delicatessen is A1 use (retail) with no permitted changes. Change of use to A5 use would enable the business to serve take-away Halal food or any other take-away food, as well as back to A1, A2 (financial and professional services) or A3 (restaurants and cafés) use classes. Therefore, officers do not consider that the Applicant's argument that this proposal would provide a specific function for the local community rather than the creation of an additional take-away establishment can be controlled.

The Applicant's argument could also be put forward by the Applicants at the nearby Communication House who are seeking consent for a take-away pizza business (TWC/2011/0666). If both the Halal food take-away and the pizza take-away were permitted, there would be 5 take-away establishments within approx. 300 metres within this predominantly residential area. Officers do not consider that a planning condition to restrict the A5 use to Halal food is reasonable as it would be unduly restrictive and would not meet all of the six tests for planning conditions as set out in Circular 11/95: Use of conditions in planning permission, where conditions should be necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. The loss of the retail unit and proliferation of take-away establishments in this area is not considered acceptable. Therefore the amended scheme has failed to overcome refusal reason 1.

With regard to refusal reason 2, the Applicant has sought to resolve the potential detrimental impacts on adjoining residential amenities by reducing the proposed hours of opening and implementing some of the measures that the Wellington Local Policing Team suggested at the time of the previous application. The main changes to the previous application are that the hours of opening have been amended from 10am to 11pm 7 days a week on TWC/2010/0314 to 12pm to 9.30pm Monday to Saturday, with no opening on Sunday and Bank Holidays on the current application. In addition the Applicant would install CCTV and would not provide a gaming machine within the premises. The Wellington Local Policing Team is generally supportive of these measures to reduce the problems of noise, disturbance and antisocial behaviour; however the hours of opening should be reduced to 9pm, which is the same as the adjacent Booze Stop retail unit. In assessing the crime statistics for the past 6 months, the Wellington Local Policing Team consider there has been a reduction in crime; however many of the local residents are concerned that the proposed take-away would still lead to an unacceptable level of noise and disturbance and incidents of anti-social behaviour. Policies CS9 and CS15 both make reference to the creation of safe places. CS9 specifically refers to the need to address crime and the fear of crime. It is considered that the reduced hours of opening and the other proposed measures will help to reduce these problems and will go some way to addressing Refusal reason 2. However, any such proposal for a take-away will increase pedestrian and vehicle movements at night, thus there will be noise and disturbance to residents of the flats above and adjacent residential

properties. Accordingly, the proposal has not overcome the second refusal reason.

In terms of highway safety, the Highways Engineer has raised no objection in this regard. However, as the car parking area to the front of the building serves the staff and customers of the shops and the residents of the flats above; a number of neighbour comments assert that the car park is often full in the evenings; therefore the parking provision of 15 spaces referred to in the application is not correct, and granting consent for the take-away in this location would further impact on existing parking and potentially lead to parking problems.

In conclusion, whilst the Applicant has provided additional information and sought to incorporate some of the measures outlined by the Wellington Local Policing Team, the application has failed to demonstrate that the revised scheme overcomes the 3 previous refusal reasons. Accordingly, the application still fails to comply with national and local planning policy and is recommended for refusal.

**RECOMMENDATION:** to REFUSE PLANNING PERMISSION for the following reason(s):

1. The Local Planning Authority considers the proposed change of use to a take-away facility is unacceptable as it would result in the loss of a retail unit, leading to a proliferation of take-away establishments within the Arleston locality, and consequently would be detrimental to the character of the predominantly residential area. Subsequently the proposal would be contrary to Policies CS5, CS9 and CS15 of the Core Strategy.
2. The Local Planning Authority considers the proposed change of use is inappropriate in this location as it would result in an unacceptable level of noise and disturbance caused by customers and vehicle movements, to the detriment of residents in the flats above the shops, Dawley Road and the surrounding properties in a predominantly residential area. Accordingly it is contrary to Policy CS9 & CS15 of the Core Strategy and national guidance contained in PPG24 Planning and Noise.
3. It is also considered that the proposed development will have an adverse impact on highway safety caused by the increase in traffic and the existing parking inadequacies which are shared by residents and retail users. Therefore the proposal would be contrary to Policy CS15 of the Core Strategy and PPG13 Transport.

TWC/2011/0788 Mount Gilbert School, Hinkshay Road, Dawley, Telford, Shropshire, TF4 3PP Construction of a skills centre and external raised terraces

**APPLICANT**

, Guy Kershaw

**RECEIVED**

13/09/2011

**PARISH**

Great Dawley

**WARD**

Dawley Magna, Malinslee

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Design, Appearance, Noise

**THE PROPOSAL:**

This planning application relates to the erection of a skills centre and the construction of external raised terraces at Mount Gilbert School, Hinkshay Road, Dawley.

The proposed skills centre building would be located in the extreme north west corner of the site on a piece of land adjacent to the games court that at present is a grassed area.

The single storey building would be approximately 17 metres long, 10.5 metres wide, and 5.6 metres high. It would comprise a workshop, garage, small office, and store. External materials would consist of Kingspan powder coated metallic walls, and a curved roof in standing seam aluminium which reflects the curved aluminium roof of the adjacent school extension.

There would be two garage doors and a line of high level windows along the eastern façade of the building. Vehicular access to the skills centre would be gained along an existing access from Hinkshay Road that runs alongside the southern side of the school.

The three raised external terraces would be located along the southern façade of the existing school building. These would be constructed in timber and allow level access into the school building. One would open out from the proposed Transition Centre and provide a protective and secure dedicated space for outdoor learning and play for the most emotionally challenged pupils, and the other two will be connected back to the existing school hall and provide external dining facilities for the school.

**SITE AND SURROUNDINGS:**

The Mount Gilbert School lies on the edge of Dawley, on the western side of Hinkshay Road. To the north of the site lies Telford Town Park; to the south, beyond a public footpath and the school playing field, is existing residential development; to the east, on the opposite side of Hinkshay Road, are a

number of dwellings fronting the road; and to the west is the site of the proposed Phoenix Secondary School which is to be relocated from its present site in Webb Crescent.

The school site is a large rectangular parcel of land comprising the school buildings, hard play areas, parking facilities, and a large school playing field. The existing school comprises a Victorian building with a large extension behind it. At the front of the building is a parking area, and at the rear of the site is a hard play area and a small area laid to grass.

#### PLANNING HISTORY:

W99/0764 – Erection of extension to existing school to form new school - approved

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies  
Policy LR1 – Provision of Community Facilities  
Policy UD2 – Design Criteria

LDF Core Strategy  
Policy CS5 – District and Local Centres in Telford  
Policy CS10 – Community Facilities

#### CONSULTATION RESPONSES:

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

The Council's Geotechnical Engineer has no objections subject to informatives relating to minerals and contamination.

The Council's Highways Engineer has no objections.

The Council's Environmental Health Officer has no objections providing the skills centre is constructed in accordance with the submitted plans.

The Council's Ecologist has no objections subject to conditions relating to wildlife mitigation measures and a wildlife landscaping scheme.

The Council's Education Officer has no objections to the application.

#### PLANNING CONSIDERATIONS:

The Mount Gilbert School is a school for pupils with special educational needs. The new skills centre will provide the opportunity to deliver vocational aspects to learning. This will allow the school to incorporate into the school curriculum BTEC qualifications and vocational experiences – for example small motor vehicle work, and training the pupils in car maintenance skills. Various locations within the curtilage of the school were looked at but the chosen site was considered by the applicants to be the only viable location.

As the nearest dwelling is located only 25 metres away from the siting of the proposed skills centre building the applicants commissioned an acoustic survey report to ascertain the likely noise impact on nearby residential dwellings. This concluded that noise levels at the location of the nearest dwellings to the skills centre would be low. This conclusion was based on the fact that:-

- (a) the skills centre would only be used during term time, during normal school hours
- (b) most of the work within the building would be carried out with vehicle engines turned off
- (c) only small numbers of pupils would attend the sessions
- (d) the principle openings of the building would point directly away from housing
- (e) the north western section of the site is given over to playgrounds which already have a noise impact on nearby housing
- (f) the proposed location of the skills centre will provide a certain degree of screening and shielding between the existing playgrounds and nearby housing

The Council's Environmental Health Officer has no objections to the application providing the skills centre is constructed in accordance with the submitted plans.

To further ensure that local residents are not unduly disturbed by the activities being undertaken the following planning conditions will be imposed:-

- (i) the skills centre shall only be used by the pupils and staff of Mount Gilbert School
- (ii) the skills centre shall only be used between 9.00am and 4.00pm during term time
- (iii) all work shall be carried out inside the skills centre, and not at any time outside the building
- (iv) all lighting and security lighting shall be agreed with the Local Planning Authority before the skills centre is brought into use.

It is therefore considered that the proposed development would not have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue noise and disturbance.

The three external raised terraces would be very modest in scale and would add some visual interest to the existing southern façade of the building.

It is considered that the design and appearance of the skills centre and external terraces would relate positively to their contexts, and would reflect and respond to the form, scale, proportions, and materials of the existing school building.

It is also believed that the overall development would protect and enhance the character and appearance of the site and the surrounding area.

The proposals will not involve any increase in the number of staff and pupils on the site, and therefore there will be no impact on traffic movements to and from the school, and no need for any additional parking facilities.

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

1. A04 Time limit
2. B06 Submission of samples of materials
3. B35 Soakaway test
3. C38 Development in accordance with submitted plans
4. The skills centre shall only be used by the pupils and staff of Mount Gilbert School
5. The skills centre shall only be used between 9.00am and 4.00pm during term time
6. All work shall be carried out inside the skills centre, and not at any time outside the building
7. All lighting and security lighting shall be agreed with the Local Planning Authority before the skills centre is brought into use.
8. Implementation of wildlife mitigation measures
9. Wildlife landscaping scheme

**REASON FOR APPROVAL:**

The design and appearance of the skills centre and external terraces would relate positively to their contexts, and would reflect and respond to the form, scale, proportions, and materials of the existing school building.

The overall development would protect and enhance the character and appearance of the site and the surrounding area.

The proposed development would not have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue noise and disturbance.

TWC/2011/0799 Portico House, 22 Vineyard Road, Wellington, Telford, Shropshire, TF1 1HB Proposed internal alterations

**APPLICANT**

, Mr Chris Goulson

**RECEIVED**

05/09/2011

**PARISH**

Wellington

**WARD**

Park

OBJECTIONS RECEIVED: None

MAIN ISSUES: The impact of the proposed internal works on the historic character and interest of the Listed Building.

**THE PROPOSAL:**

This is a Council application for Listed Building consent to carry out internal alterations to Portico House in Vineyard Road Wellington. No alterations or works to the exterior of the building are proposed.

**SITE AND SURROUNDINGS:**

Portico House is currently occupied by Telford & Wrekin's Community Substance Misuse Service.

The original part of Portico House is an imposing three storey 18<sup>th</sup> Century Grade II Listed Building which faces onto Vineyard Road in a predominantly residential area, to the north of Wellington town centre. The building is constructed of red brick and is set back from the highway with a walled front garden. On the front elevation there is the main entrance with portico and columns and ground floor bay windows. The building has parapet gables and two large chimneys. More recent extensions to the rear of the original building connect to the two-storey flat-roofed building known as 'Donnington House' at the rear of the site, which is of little architectural merit. Adjacent to the east of the building is Parville House, a residential home for adults with physical disabilities. Parville House is also listed, although it features a more recent three-storey extension to the side adjacent to Portico House.

**PLANNING HISTORY:**

W2004/1497 Installation of CCTV cameras (FG)

W96/0005 Internal and external alterations to use building as social services offices: County Delegated; no objections.

**PLANNING POLICY CONTEXT:**

LDF Core Strategy:

CS10 Community Facilities

CS14 Cultural, Historic and Built Environment

Wrekin Local Plan:

HE16 Alterations and additions to Listed Buildings

National planning guidance:

#### CONSULTATION RESPONSES:

Wellington Town Council has no objections to the proposals.

Built Heritage Conservation: no objections to the proposed works which are internal and mostly affect later modern insertions. The original layout at the front of the building with a central hallway from the main front door and principle rooms either side, typical of a double fronted Georgian property of this type, is retained. Impose condition to 'make good' internal work and finishes.

Adjacent properties have been consulted and no comments have been received.

#### PLANNING CONSIDERATIONS

The proposed internal works are intended to improve the width of internal corridors in order to facilitate the use of the building for staff and service users. Most of the works would be carried out on the ground floor. There would be no alterations to the external elevations of the building, and no impact on the existing car-parking and access arrangements.

The overall historic layout of rooms at the front of Portico House would be retained, and the proposed works would largely affect internal areas already altered or modernised to provide office accommodation.

The Conservation Officer has no objections subject to an appropriate condition to make good the internal works and finishes.

The works would facilitate the continued use of the original building and would balance the need to provide modern office accommodation and a community facility while preserving as much as possible the remaining architectural and historic character and interest of the Listed Building.

The proposals are therefore satisfactory and accord with the objectives of the relevant policies listed above.

**RECOMMENDATION: GRANT LISTED BUILDING CONSENT** for the proposals subject to the following conditions:

1. A05 Time limit (Listed building)
2. C38 Development in accordance with drawing Nos.
3. C47 Make good internal work and finishes

#### REASONS FOR APPROVAL:

The proposed internal works would have little impact on the historic character and interest of the Listed Building in its current form and would not affect the exterior of the building or its setting in the street scene. The works would

improve the internal accommodation allowing the building to remain in use thereby contributing to its protection.

TWC/2011/0807 Donnington Recreation Ground, School Road, Donnington, Telford, Shropshire, TF2 8HT The creation of a skate park

**APPLICANT**

, Mr Derek Owen

**RECEIVED**

12/09/2011

**PARISH**

Lilleshall, Donnington and Muxton

**WARD**

Donnington

OBJECTIONS RECEIVED: NO

**MAIN ISSUES:**

Design, Appearance, Impact on residential amenity

**THE PROPOSAL:**

This Council application is part of a management plan that was commissioned in 2009 following consultation with the public to improve Donnington Recreation Ground. The site has already benefited from a children's play area revamp and a new ball court. This application relates to the provision of new play/recreational facilities for skateboarding, 'In-Line' skating, BMX freestyle and freestyle scootering intended to be used predominantly by local children and young people aged between 3 and 18 years. It is considered that the proposed enhanced recreational venue could also provide opportunities for occasional small localised events to promote positive healthy activities.

The facility will incorporate improved footpath surfacing to improve access to this area meeting DDA legislation to ensure inclusive access to this free to use public facility along with a council litter bin.

**SITE AND SURROUNDINGS:**

Donnington Recreation Ground occupies a large site accessible primarily off School Road, west of Donnington Wood Way. The site is situated in a populated residential area offering a wide range of outdoor recreational activities.

The Recreational Ground is held in trust for Lilleshall miner's welfare fund by Telford & Wrekin Council as Public Open Space which currently contains bowling greens and associated buildings, football pitches, a BMX track, play areas, multi-use courts, amenity grass and trees along with car parking provision and informal footpaths. Both the site and the larger surrounding area are designated Green Network as shown on the Wrekin Local Plan Proposals map.

To the north of the site is a footpath/track and hard surfacing of the former gymnasium. East of the site is a footpath and sports pitches. South of the site there is a youth shelter and children's equipped play area and to the west is amenity open space.

The site is used by the general local community for formal and informal recreation purposes. Usage levels are estimated to be relatively low with the exception of the Bowling Greens, the recently revamped play area and football pitches. Current hours of use are dawn to dusk. Residential properties surround the whole site with properties off School Road to the west and Coronation Drive to the north being closest to the application site.

#### PLANNING HISTORY:

TWC/2010/0652: Provision of a new child's ball court and the erection of 3.5m high fencing. This application was Granted at Plans Board on 07/01/11

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 –Delivering Sustainable Development

PPG17 – Planning for open space, sport and recreation

Saved Wrekin Local Plan Policies

UD2 – Urban Design

OL3 – Green Network

OL4 – Development in the green network

OL5 – Extensions and redevelopment in the Green Network

LDF Core Strategy

CS9 – Accessibility and Social Inclusion

CS11 – Open Space

#### CONSULTATION RESPONSES:

Lilleshall, Donnington & Muxton Parish Council : No Objection

Geotechs: Support – add Informatives I17 (Minerals Area) & I20 (Contaminated Land)

Parks & Open Spaces: Support

A site notice and 72 direct neighbour letters publicised this application.

A single letter was received from No.126 School Road: This neighbour does not object to the proposal but has concerns regarding safety in this area. This area already experiences high volumes of traffic and parking can be an issue, especially when football matches are being held. The neighbour would like to see traffic calming measures introduced.

#### PLANNING CONSIDERATIONS:

The proposal is part of a complete modernisation of Donnington Recreation Ground.

The proposed development involves providing new play/recreational facilities for skateboarding, 'In-Line' skating, BMX freestyle and freestyle scootering intended to be used predominantly by local children and young people aged between 3 and 18 years.

The land proposed for the skate park is currently used as an old BMX track and amenity grass that is currently identified to be used for recreational purposes by the local community. The site is designated as Green Network within the Wrekin Local Plan. 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 provide community facilities and subsequently complies with this policy.

The skate park will cover a section of land approximately 50m long and 17.5m at its widest point. The highest point will measure 1.88m and approximately 1.2m of the structure will be below ground level. The proposed facility is raised for two reasons. Firstly it increases visibility for increased security to the user and secondly it creates a physical barrier without the need for fencing which assists in the safety of non users by creating a natural barrier. This grassed embankment barrier is considered to be much more aesthetic than safety fencing.

The skate park is proposed in the area identified within the approved management plan. National guidelines (NPFA) in relation to children's play require a minimal set distance of 30 metres from the edge of the proposed facility to the boundary of residential properties. There are no local alternative existing open spaces within this site or area in which to accommodate this use without encroaching upon or affecting other existing or proposed uses. It should be acknowledged that the '30-metre rule' is guidance only, and there are numerous locations across the Borough which are significantly closer than this proposal (for instance in Freestone Avenue, St Georges the play area is only 3 metres from the nearest residential property).

The applicant has stated that the proposal has been thoroughly thought out and widely consulted on, and that there are no realistic alternative sites where the park could be located.

The location for a skate park for this area is supported by Telford and Wrekin Council's adopted Play Strategy addressing that Donnington is deficient in outdoor recreational facilities and has a high percentage of children and young people and limited outdoor facilities for young people. It is considered that this proposal, along with other similar schemes recently approved, such as the new children's play area, will help to alleviate this deficiency, and provide important community and recreational facilities for local children and young people.

With regards to the concerns of a local neighbour that the proposed recreational facility will add to existing high volumes of traffic in this area of Donnington, this application does not introduce a new area for recreation only the revamping and modernising of the site. Whilst the new facilities may attract a higher number of young people to the park it is unlikely they will arrive by car and it is therefore considered that the proposal will not lead to a significant increase in traffic volumes.

It is considered, on balance, that the proposal would be acceptable in its intended location, particularly taking into account that it would be situated within the existing recreational area. It is believed that the advantages of providing this facility for the children and young people of Donnington far outweigh any possible problems of noise and disturbance that may be experienced by local residents. The proposal therefore complies with the relevant Council policies and accords with the aims of the Green Network.

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

Conditions

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

Informatives

3. I17 Minerals Area
4. I20 Contaminated Land

**REASON FOR APPROVAL:**

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

The existing site is currently underused and the new provisions will enhance the public recreational facilities on offer in Donnington and widen their general appeal and usage for the overall benefit of the wider community. The proposal therefore complies with the relevant Council policies and accords with the aims of the Green Network.