

TWC/2018/0957

Land adjacent 10 Bluebell Coppice, Ketley, Telford, Shropshire
Erection of 4no. dwellings ****amended ownership certificate****

APPLICANT

Vince & Kerry Whyte

RECEIVED

28/02/2019

PARISH

Ketley

WARD

Ketley and Overdale

THIS APPLICATION WAS DEFERRED AT PLANNING COMMITTEE ON 05 JUNE 2019 TO ALLOW A SITE VISIT TO TAKE PLACE

1.0 DETAILS OF CONCERNS RAISED

1.1 This application was heard at the previous Planning Committee Meeting on 05 June 2019, whereby it was agreed by Members that the application would be Deferred in order to allow a Site Visit to take place. Concerns raised by Committee Members, included:

- Confirmation regarding the density of the site;
- Design of Plots 3 and 4 incorporating dormer windows;
- The positioning of the bin storage area being located too far from the highway;
- The designation of the site as Green Network, requiring retention;
- Access drive not meeting the requirements of Fire Safety Guidance.

1.2 A further concern, which is not considered to be Material Planning Considerations relates to land ownership of the application site. Officers appreciate the concerns raised by local residents, however cannot act as a mediator in land ownership disputes. The Applicant's Agent has confirmed the correct Notice has been served on additional land owners, and confirmation has been submitted to the Local Planning Authority, dated 01 March 2019.

2.0 NEIGHBOUR & STATUTORY CONSULTATIONS

2.1 As no amendments have been made to the scheme, no re-consultation has taken place and no additional representations have been received.

3.0 PLANNING CONSIDERATIONS

Appearance, Density and Layout

3.1 Officers have reviewed the density of the site which would equate to 8.16 dpHA which is considered to be consistent with the layout of dwellings in the immediate vicinity. It is therefore considered that the erection of 4No. Dwellings on the site at their proposed scale is modest and would be in keeping with the immediate vicinity.

- 3.2 With regard to the concerns raised over the proposed design for Plots 3 and 4, where dormer windows would be included on the rear, Officers have undertaken an assessment of their design, and whilst the proposed dormer windows are not a common feature within the immediate vicinity, the proposed feature(s) are not considered to constitute a harmful addition. As a result of the inclusion of the dormer windows, no residential amenity would be harmed, and the overriding appearance of the streetscene would be maintained. Officers consider the dormer window(s) would indicate that the dwellings are a later addition whilst still respecting the design of the existing dwellings within the area. The proposals are therefore considered to comply with Telford & Wrekin Local Plan Policy BE1.

Green Network

- 3.2 In response to the query regarding the Green Network status of the land, the land has been assessed under the following elements in relation to Policy NE6:
- 3.2.1 *To provide significant visual amenity value in the form of extensive views over green open areas, water bodies or woodland:* Officers consider the site does not contribute to extensive views over an open area as it is enclosed on two sides by existing development and on the other two sides by a woodland buffer.
- 3.2.2 *To provide separation between built up areas by significant open green areas, water bodies or woodland which help to retain and enhance the individual identity of local communities:* It is considered that the land beyond this site is Green Network formed mainly of woodland followed by open green land and then the M54 with its substantial landscape buffer. It is unlikely that any future development would occur in that location that would encroach upon the remaining separation space.
- 3.2.3 *To provide an appropriate supply of open land to meet the diverse recreational needs of an expanding population, combining the more formal parkland and recreation areas with wider landscaped areas valuable for informal recreation:* This site does not currently provide for recreational use.
- 3.2.4 *To maintain, protect and enhance the borough's ecological value in terms of natural habitats and species by providing ecological networks, corridors and stepping stones by which wildlife can move through, and thrive within, urban environments:* The Council's Ecology Specialist has confirmed the site has low ecological value and appropriate mitigation measure can be achieved via Planning Condition.
- 3.2.5 *To maintain, protect and enhance the unique geological and archaeological features within the borough as a legacy of its early place in the Industrial Revolution:* There is no known geological or archaeological value in this site.
- 3.2.6 *To provide open space linkages through which footpath, cycle ways and ecological corridors can connect different parts of Telford or Newport forming*

accessible 'green ways' through urban areas: This site is enclosed and does not contribute to any wider linkages or green ways within the borough.

- 3.2.7 Overall, following the site clearance in 2012 when a previous Consent was Granted, the functionality of the Green Network is considered to have been lost. As detailed above, the site is not considered to contribute to the Green Network Objectives for the borough and therefore the erection of 4No. Dwellings on the site would not result in the loss of any high value Green Network Land.

Access Drive

- 3.3 It has been raised by a neighbouring property that the proposed access drive would fail to meet Fire Safety Guidelines, however it should be noted that this is based on the existing access and not following the proposed widening works. The Council's Highways Officer has visited the site and confirms the access road, once widened would be acceptable for all vehicles to access the site.

Bin Storage

- 3.4 In respect of the proposed Bin Storage, Officers are currently liaising with the Applicant's Agent to relocate the bin storage area so that it would sit closer to the highway. The Council's Highways Officer has however confirmed that they have no concern regarding the location of the proposed Bin Storage Area as it currently stands. Any amendments received will be provided as an update.

4.0 CONCLUSION

- 4.1 The proposal to erect 4No. Dwellings on the site is considered to be acceptable. The site is in a sustainable location, and it has been demonstrated that the site can be adequately drained, accessed and appropriate parking provision is available. The functionality of the site as Green Network has been lost following its clearance in 2012 and the rationale behind this has been outlined. Queries regarding the scale, design and layout of the scheme, alongside density and access drive have also been addressed.
- 4.2 The proposal would have no significant detrimental impact upon neighbouring properties, and therefore the proposal is considered to comply with Policies SP1, SP4, C3, C5, NE1, NE2, NE6, BE1, ER11 and ER12 of the Telford & Wrekin Local Plan, and is in accordance with national policies contained within the NPPF.

5.0 RECOMMENDATION

- 5.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

- a) The following Condition(s) and Informative(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Condition(s):

- A04 Time Limit
- B010 Details of Materials
- B061 Foul and Surface Water Drainage
- B076 SUDs Management Plan
- B121 Landscape Design
- B133 Tree Replacements
- B126 Landscape Management Plan
- B059 Stabilisation Works
- C089 Widening of the Access Prior to Commencement
- C109 Erection of Artificial Nesting/Roosting Boxes
- C109 Lighting Plan
- C13 Parking, Loading, Unloading and Turning
- C089 Works in Accordance with Tree Protection Plan
- C38 Approved Plans
- D01 Removal of Permitted Development Rights

*****ORIGINAL COMMITTEE REPORT*****

KETLEY PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

1.0 SUMMARY RECOMMENDATION

- 1.1 Grant Full Planning Permission subject to Condition(s) and Informative(s).

2.0 APPLICATION SITE AND SURROUNDINGS

- 2.1 The application site is located within Ketley, a Parish which is in the urban area of the Borough, approximately 1 mile from the Market Town of Wellington and approximately 2.5 miles from Telford's Town Centre District.
- 2.2 The application site relates to the east of Bluebell Coppice, adjacent Cow Wood in Ketley. Bluebell Coppice is an established residential area of Ketley that comprises of modern, detached, two storey dwellings. The application site itself it situated at the end of a small cul-de-sac to the rear of two detached properties known as Meadow Rise and Wyrley Barn.
- 2.3 The site is designated as Green Network within the Telford & Wrekin Local Plan and backs onto established woodland.

3.0 APPLICATION DETAILS

- 3.1 The application is a full planning application for the erection of 4No. Dwellings, two of which would have four bedrooms, and two which would have five. The plots would each accommodate front gardens, driveways and rear private amenity space. Each dwelling would be able to provide at least 3No. Parking spaces, and would also have integral garages.
- 3.2 The dwellings have been designed to be in keeping with the dwellings in the immediate vicinity. Two of the plots would have dormer windows on the rear to facilitate the fifth bedroom.
- 3.3 The site would be accessed via the private driveway which currently exists between No. 10 Bluebell Coppice and Meadow Rise. Widening works would need to be undertaken to achieve an access where two vehicles could pass. Amended plans have been submitted to show this, and a re-consultation period has taken place.
- 3.4 The scheme has had Outline Approval Granted in 2012, with all Matters Reserved and a Full Application has now been submitted to re-establish the Consent.
- 3.5 Due to several minor amendments being made to the site plan, including amending the position of the red line and slightly adjusting the position of the dwellings, and notice being served upon a neighbouring property, several rounds of re-consultation have taken place to keep consultees and neighbours up to date with the application progress.

4.0 RELEVANT HISTORY

- 4.1 TWC/2012/0655 - Erection of 4 detached dwellings (Outline) - Outline Granted 05 November 2012

5.0 RELEVANT POLICY DOCUMENTS

5.1 National Guidance

National Planning Policy Framework (NPPF)

5.2 Local Development Plan

Telford & Wrekin Local Plan 2011-2031

6.0 SUMMARY OF CONSULTATION RESPONSES

6.1 Local Member & Parish Council Responses

6.1.1 Ketley Parish Council: Object:

- Area is designated as Green Network and would have an impact upon the woodland and biodiversity;
- No consideration has been made for pedestrians, two way vehicles or emergency vehicles;
- Private driveway is not suitable as an access for 4 dwellings;
- Existing development has issues with overlooking, visibility for vehicles and lack of parking;
- Further properties in the location cannot be justified with the large developments already taking place in Ketley, such as the Telford Millennium Village;
- Proposed site has high risk of potential contamination from landfill;
- Site does not provide sufficient parking provision;
- Three-storey properties are out of character with the area;
- The application in 2012 was strongly objected to by the Applicant, whom have since purchased the site and submitted this current application;
- Previous pre-application advice or previous advice should be disregarded due to the amount of time which has passed.

6.2 Standard Consultation Responses

6.2.1 Highways: Support subject to Condition(s):

- Widening of the access should be undertaken prior to the commencement of development;
- Parking areas to be provided, laid out, hard surfaced and drainage prior to occupation of the development.

6.2.2 Drainage: Support subject to Condition(s):

- A scheme of foul and surface water drainage should be submitted prior to commencement of development;
- A SUDs Management Plan should be submitted prior to development commencing.

6.2.3 Shropshire Fire Service: Comment:

Consideration to be given to advice provided in Shropshire Fire and Rescue Service's 'Fire Safety Guidance'

6.2.4 Healthy Spaces: **Support subject to Condition(s)**:

- Requests inclusion of a long-term Landscape Management Plan.

6.2.5 The Coal Authority: **Support subject to Condition(s)**:

- Stabilisation works should take place prior to development commencing.

6.2.6 Arboriculture: Support subject to Condition(s):

- Landscaping Plan should be submitted prior to the commencement of development;
- Works should be in accordance with the Tree Protection Plan;
- Tree replacement plan should be submitted prior to commencement.

6.2.7 Ecology: Support subject to Condition(s), namely in respect of a Lighting Plan and Artificial Nesting/Roosting Boxes.

7.0 SUMMARY OF PUBLIC RESPONSE

7.1 Objections have been received from local residents, which are available in full on the planning file, but key points have been summarised as follows:

- Concerns for the location of bin storage and refuse collection;
- The volume of traffic from 4 additional dwellings would be unsuitable for the access;
- Dangerous access arrangements with low visibility;
- The site is not large enough for 4 large dwellings;
- Loss of a view from existing dwellings;
- No footpath has been provided along the private drive;
- No need for additional houses in the area;
- Proximity to boundaries of existing houses;
- The site is Green Network and should not be developed.

Other concerns have been raised which are not material planning considerations:

- Land ownership issues regarding the proposed access;
- Notice failed to have been served upon the adjoining land owner by the Applicant;
- The Applicant objected to the previous application however has now purchased the land;
- The application is for maximum financial gain only.

8.0 PLANNING CONSIDERATIONS

8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Density, Layout, Scale and Design
- Highways, Access and Parking
- Impact on Neighbouring Amenity
- Bin storage
- Other Matters

8.2 Principle of Development

8.2 Section 38(6) of the Planning and Compulsory Act (2004) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

8.3 The proposal is to erect 4No. Detached dwellings on currently vacant land adjacent to No. 10 Bluebell Coppice. The application site is located within the built up area of the borough, as shown within the Telford & Wrekin Local Plan policies map, where the principle of residential development is acceptable. However, to be supported, sites would need to be suitably sized, appropriately located, and accessed safely in addition to satisfying other relevant Local Plan Policies. Any development will also need to satisfy the amenities of adjacent residents and land users.

8.4 The site is considered to be in a sustainable location, close to shops, schools and services in Ketley and is in accordance with Policy SP4 of the Telford & Wrekin Local Plan. The scheme was previously Granted Outline Consent with all Matters Reserved in 2012. Whilst this was before the adoption of the Telford & Wrekin Local Plan, policies have not changed with regards to this location and therefore the principle of development on this site continues to be supported.

8.5 Density, Layout, Scale and Design

8.6 The scheme is considered to be a modest addition to an existing housing estate. The density of the development is considered to be acceptable to be in keeping with the existing street layout and the scale of the dwellings matches those within the immediate vicinity. The dwellings have been designed to appear visually similar to those in the local vernacular whilst also introducing slightly differing features to show they are a later addition. Details of materials would be requested through a condition to ensure the materials used for the

construction would be of a high quality and would be compatible with those within the existing estate.

- 8.7 Comments have been raised regarding the scale of Plots 3 and 4 which are proposed to have dormer windows to the rear which would facilitate a fifth bedroom within the roof. Whilst Officers have considered the comments put forward that these features are out of keeping with the area, it is considered that as the dormer windows are on the rear of the dwellings and would not be visible from the street scene, they would have no impact upon the character of the area and would not appear to be an out of keeping feature. Furthermore, the roof level increases by a very minor amount in order to accommodate these dormer windows and would therefore not appear over dominant. The dormer windows face away from the main estate and would not overlook or cause loss of privacy to any residential dwellings, therefore Officers do not consider any significant detrimental impacts would occur as a result of their inclusion.
- 8.8 The dwellings on this estate benefit from large plots, and good sized rear gardens which are appropriate for larger family dwellings. The site plan indicates appropriately sized rear gardens for each dwelling which would provide private amenity space for the larger 4 and 5 bedroom dwellings, whilst also incorporating areas the front of the dwellings where appropriate landscaping would be located. Additional details of landscaping and boundary treatments would be requested through a condition to ensure these are of a high quality in order to enhance the visual appearance of the area.
- 8.9 The site plan also indicates driveways and parking areas for each dwelling to ensure sufficient provision can be achieved on site. Overall the scale, density, layout and design are considered to be appropriate and therefore the dwellings would be an appropriate addition to the residential estate and would enhance the character and appearance of the area. Therefore the proposal is considered to accord with Telford & Wrekin Local Plan Policy BE1.
- 8.10 **Highways, Access and Parking**
- 8.11 The development would be situated off an existing private drive which serves the properties of No. 10 Bluebell Coppice, Wyrley Barn and Meadow Rise. The drive would be required to be widened in order to allow two vehicles to pass and to accommodate the increase in vehicular traffic. Amended Plans were received showing the widening of the private driveway and a re-consultation was undertaken to inform neighbours of the change. The Council's Highway Officer has reviewed the plans and undertaken a site visit and has confirmed they can support the scheme subject to Condition(s).

- 8.12 Whilst some concern has been raised by local residents and the Parish Council regarding the increase in vehicular traffic passing by existing dwellings, Officers consider the cumulative impact of only four additional dwellings to a large residential estate would not have a significant detrimental impact. It is not considered that any significant adverse impacts in terms of noise would occur as a result of the additional vehicles passing.
- 8.13 The properties each have been provided with an integral garage, and each property can demonstrate appropriate parking provision can be achieved. Plots 1 and 2 would be required to provide 3no. Parking spaces as they are four bedroom dwellings, and plots 3 and 4 would be required to provide 4no. Parking spaces as they are five bedroom dwellings. It is considered therefore that as the site plan shows the site can provide this level of parking, that no significant detrimental impacts would occur in terms of cars parking along the highway as suitable provision can be provided for each dwelling.
- 8.14 As appropriate parking and access arrangements have been demonstrated, it is considered the proposal would comply with Policy C3 and C5 of the Telford & Wrekin Local Plan.
- 8.15 **Impact on Neighbouring Amenity**
- 8.16 It is considered that as the development is situated to the rear of the existing estate, only two properties are in close proximity to the site. These are Meadow Rise and Wyrley Barn.
- 8.17 Whilst it is acknowledged that these properties will have a change of outlook with the addition of 4No. Dwellings at the rear of their gardens, adequate separation distances are in place between the existing properties and the proposed. Whilst at first the distance between Meadow Rise and Plot 1 fell short, an amended plan has been received which provides a distance of 12.5 metres from the rear of Meadow Rise to the side wall of Plot 1, which is considered to be acceptable. In addition, no windows are proposed on the side elevation of Plot 1 which is closest to the neighbouring dwellings and therefore no loss of privacy or overlooking would occur as a result of the development.
- 8.18 Due to this, it is considered no significant detrimental impacts would occur upon neighbouring properties as a result of the proposal, and the scheme therefore complies with Telford & Wrekin Local Plan Policy BE1.

8.19 **Bin Storage**

8.20 Concerns have been raised by neighbouring residents that the provision of bin storage and waste collection facilities are under strain within the immediate vicinity and that bins often cause concern by blocking the highway on collection days, particularly at the junction between No. 8 Bluebell Coppice and Wyrley Barn. Due to the concerns raised, The Applicants have agreed to install a bin collection point within the site, where waste collection operatives can walk up the private drive to collect the bins on collection days to prevent the junction being blocked further. This has been included on the latest site plan, and as it is not considered to be a fundamental change to the application, no re-consultation has taken place following the inclusion of the bin store.

8.21 **Other Matters**

8.22 The Parish Council have raised a concern that the site is designated as Green Network within the Telford & Wrekin Local Plan. Whilst the site does hold the designation, the Council's Ecology Officer has reviewed the information submitted and considers that as the land was previously cleared for development following the consent in 2012, the principle of the loss of the Green Network has already been established. The Ecology Officer has requested a number of conditions to ensure the site makes provision for any protected species in the nearby woodland, and is confident the development would not harm the functionality of the surrounding Green Network. The proposal is therefore considered to comply with Policies NE1, NE2 and NE6 of the Telford & Wrekin Local Plan.

8.23 Land ownership has been an issue also raised within the comments from neighbouring residents and the Parish Council, as a small section of land included within the red line boundary is owned by a neighbouring property at No. 8 Bluebell Coppice. The Applicant has submitted the notice form to the Council with the date in which notice was served upon the neighbour. The neighbouring residents at No. 8 are aware of the application and representations to the Council have been made. The Council considers that as the owners at No. 8 have been made aware of the application, any issues are a civil matter and the Council cannot get involved in land ownership issues. Ultimately unless the owners of the neighbouring property grant legal consent to the developer then the development will not be able to proceed without requiring an amendment which would be subject to a new application and full public consultation.

8.24 A concern has also been raised with regards to risk of contamination from landfill. The Environment Agency have been consulted on the application,

however no comments have been received. Paragraph 179 of the NPPF imposes the burden of responsibility with the developer and / or landowner if a site is affected by contamination. Furthermore this is an issue which will require Building Regulations approval.

9.0 CONCLUSION

9.1 The site is in a sustainable location, and it has been demonstrated that the site can be adequately drained, accessed and appropriate parking provision is available. The functionality of the site as Green Network has been lost following its clearance in 2012. The density, scale, design and layout of the scheme is considered to be acceptable and would be an in-keeping addition to the existing development. The proposal would have no significant detrimental impact upon neighbouring properties, and therefore the proposal is considered to comply with Policies SP1, SP4, C3, C5, NE1, NE2, NE6, BE1, ER11 and ER12 of the Telford & Wrekin Local Plan, and is in accordance with national policies contained within the NPPF.

10.0 RECOMMENDATION

10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

- a) The following Condition(s) and Informative(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

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- A04 Time Limit
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- B133 Tree Replacements
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- B059 Stabilisation Works
- C089 Widening of the Access Prior to Commencement
- C109 Erection of Artificial Nesting/Roosting Boxes
- C109 Lighting Plan
- C13 Parking, Loading, Unloading and Turning
- C089 Works in Accordance with Tree Protection Plan
- C38 Approved Plans
- D01 Removal of Permitted Development Rights