

TWC/2020/0087

Site of former Rose and Crown PH, Sunnyside Road, Ketley Bank, Telford, Shropshire
Erection of 1no. dwelling with associated parking, amenity land and access

APPLICANT

Oliver Hardy Homes Ltd

RECEIVED

30/01/2020

PARISH

Oakengates

WARD

Oakengates and Ketley Bank

**THIS APPLICATION HAS BEEN CALLED TO COMMITTEE AT THE REQUEST OF
OAKENGATES TOWN COUNCIL**

1. SUMMARY RECOMMENDATION

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to Condition(s), Informative(s).

2. SITE AND SURROUNDINGS

- 2.1 The application site is located within Ketley Bank, a Parish within 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 is situated on Sunnyside Road, just off Holyhead Road. The site is situated between the property Sunny Bungalow and the site of the former Rose & Crown Public House which is now vacant and three dwellings are under construction on the Car Park. The site is situated south of the former Rose & Crown on an elevated section of land above the former Car Park.
- 2.3 The site is designated as Green Network within the Telford & Wrekin Local Plan.
- 2.4 A previous application was submitted on the site in 2019 for the erection of 1No. dwelling. The proposed dwelling was two-storey in form and concern was raised by Officers regarding its potential to be overbearing. The application was subsequently withdrawn.

3. APPLICATION DETAILS

- 3.1 The application is a Full Planning Application for the erection of 1No. Dwelling in the form of a dormer bungalow. The bungalow has been designed to be in keeping with the other properties in the vicinity.
- 3.2 The access would be directly off Sunnyside Road, adjacent to the accesses for 3No. new properties under construction, alongside the access to Sunny Bungalow.
- 3.3 The site would have a terrace platformed garden due to the topography of the land, with a patio area and a low maintenance terraced landscaped area.

4. PLANNING HISTORY

- 4.1 TWC/2019/0730 - Erection of 1No. dwelling with associated parking, amenity land and access *****Amended Red Line Boundary Plan***** Withdrawn: 11 December 2019

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
5.2 Telford & Wrekin Local Plan 2011-2031:

SP1: Telford

SP4: Presumption in Favour of Sustainable Development

C3: Impact of the Development on Highways

NE1: Biodiversity & Geodiversity

NE2: Trees, Hedgerows and Woodlands

NE6: Green Network

ER11: Flood Risk Management

ER12: Sewerage Systems and Water Quality

6. NEIGHBOUR REPRESENTATIONS

- 6.1 Six neighbouring properties have been formally consulted on the proposal and the Local Planning Authority have received letters of objection raising the following material planning concerns:

- Lack of visibility from access point;
- Increase in traffic on a narrow road;
- No footpath for pedestrians;
- Developers applying for permission in phases to enhance profit;
- Overlooking and loss of privacy to neighbouring dwellings;
- Loss of green space and biodiversity;
- Loss of green space impacting the character of the area;
- Additional pressure on services within the street;
- Boundary disputes and inclusion of a neighbour's land within the red line boundary;
- Overdevelopment of the site;
- Concerns regarding highway safety and access for emergency vehicles.

7. STATUTORY REPRESENTATIONS

- 7.1 Oakengates Town Council: **Object** based on a number of issues which include:

- Overdevelopment of the site;
- Concerns over access and egress;
- Removal of trees during application process and prior to permission being granted;
- Loss of Green Network land and character of the area;
- Impact upon neighbouring properties.

The Town Council has requested that the application be heard at Planning Committee.

7.2 **Highways: Support subject to Condition(s):**

- Prior to the development being brought into use, visibility splays shall be provided;
- Parking areas to be provided, laid out, hard surfaced and drainage prior to occupation of the development;
- Prior to the occupation of the development, the access drive shall be surfaced in a bound material.

7.3 **Drainage: Support subject to Condition(s):**

- A scheme of foul and surface water drainage should be submitted prior to commencement of development.

7.4 **Shropshire Fire Service: Comment:**

- As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications' document.

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

- Stabilisation works to take place prior to development commencing.

7.6 **Arboriculture:**

- Landscaping plan should be submitted prior to the commencement of development;
- Tree replacement plan should be submitted prior to commencement;
- Clarification sought over the ownership of an existing hedge and protection required for the hedge.

7.7 **Ecology: Support subject to Condition(s):**

- A lighting plan should be submitted prior to occupation;
- Details of artificial nesting/roosting boxes should be submitted prior to occupation.

8. APPRAISAL

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 & Green Network
- Density, Layout, Scale & Design
- Highways, Access & Parking
- Impact on the Living Conditions of Neighbours
- Other Matters

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 1No. Detached dwelling on currently vacant land adjacent to the former Rose & Crown. 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 Bank and is in accordance with Policy SP4 of the Telford & Wrekin Local Plan.

8.5 The site is designated as Green Network within the TWLP Policies Map. The site was designated as Green Network under Criterion 4 within Policy NE6, as an area for habitats and species. The Agent has submitted a statement which addresses the Green Network Policy and advises how the site does not contribute to any of the identified functions:

- The site does not provide visual amenity value;
- It does not provide separation between built development or enhance the identity of the community;
- It does not provide green land to meet recreational needs;
- It does not comprise of any special ecological value;
- The site has no known geological or archaeological features worth retaining and;
- It does not provide open space or linkages for footpaths or cycle ways.

8.6 Following an assessment of the site, Officers consider that the land's function as Green Network no longer applies as it is considered that this does not meet the Criterion listed within Policy NE6. The Council's Ecology Officer has reviewed the application and has no objection to the scheme subject to the inclusion of conditions which request ecological enhancements to the site.

- 8.7 It is raised as an objection by the Town Council that prior to and during the application process, a large number of trees on the site have been felled and the site has been substantially cleared. As the land is in private ownership and the trees on site were not subject to Tree Preservation Orders (TPO's), the LPA could not prevent the felling of any trees on site. The application proposes replacement trees and landscaping and would be an enhancement to the site as it currently stands. On balance, the loss of the Green Network land has been accepted due to the improvements to the site the development would make, and the principle of development is acceptable for the site.

Layout, Scale & Design

- 8.8 The scheme is considered to be a modest addition to the area. The previously Withdrawn scheme sought permission for a two-storey dwelling which Officers considered would cause an overbearing impact upon the three dwellings under construction on the public house car park below due to its elevated position and would constitute an overdevelopment of the site due to its scale. The revised scheme proposes a noticeably smaller dormer bungalow style dwelling with a hipped roof which slopes away from the north and away from the three dwellings under construction below. The overbearing impact is considered to be significantly lessened as a result of the revised scheme and the overall scale and massing of the building has been reduced. It now sits more comfortably within the plot.
- 8.9 Due to the size and topography of the plot, the dwelling would only benefit from a small area of usable garden space which would be terraced as the site has a significant sloping topography. A patio area would be provided around the dwelling to provide a level area of amenity space with a low maintenance terraced area for plants and shrubs. Officers consider that as the proposal is for a bungalow, on balance the amount of usable garden space available can be accepted.
- 8.10 The dwelling has been designed to appear visually similar to those in the local vernacular. 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.
- 8.11 Overall, on balance, the scale, density, layout and design are considered to be appropriate and therefore the dwelling would be an appropriate addition to the area. Therefore the proposal is considered to accord with Telford & Wrekin Local Plan Policy BE1.

Highways, Access and Parking

- 8.12 The development would be situated off Sunnyside Road adjacent to other residential driveways. The Council's Highways Officer has no objection to the proposed access subject to the inclusion of appropriate Condition(s).
- 8.13 The proposal is considered to have sufficient parking to support a two bedroom property within the suburban area as outlined in the TWLP parking standards and is therefore considered to be acceptable.

- 8.14 With regards to the concerns raised by neighbouring properties about access for emergency vehicles, the road is already in existence and provides access to a number of properties. As a result it is considered to be of a suitable size to accommodate access for emergency vehicles. Concerns have also been raised regarding additional traffic in general using Sunnyside Road however Officers consider the cumulative impact of one additional dwelling would not cause any significant harm in respect of this.
- 8.15 As appropriate parking and access arrangements have been demonstrated, it is considered the proposal would comply with Policy C3 of the Telford & Wrekin Local Plan.

Impact on the Living Conditions of Neighbours

- 8.16 Telford & Wrekin Plan Policy BE1 states that new developments should not prejudice existing surrounding uses. It is considered that the development proposed would not result in any significant detrimental impacts upon neighbouring dwellings and therefore in this instance there is no concern regarding neighbour amenity.

Other Matters

- 8.17 A concern has been raised by a neighbouring property 'Sunny Bungalow' regarding land ownership, stating part of the application site as defined by the red line boundary is part of their curtilage. Whilst land ownership is not a planning consideration, the Applicant has provided the Local Planning Authority with title deeds for the application site which match the red line boundary shown for the site. Officers therefore consider the appropriate ownership certificates have been completed and submitted to accompany the application. Any land ownership disputes would be a civil matter between the parties involved.

9. CONCLUSION

- 9.1 On balance, the proposal to erect 1No. dwelling is considered 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 scale, design and layout of the scheme is considered to be acceptable and would be an in-keeping addition to the existing development. The loss of the Green Network land has been accepted due to the wider benefits of the scheme, and the proposal would have no significant detrimental impact upon neighbouring properties. Therefore the proposal is considered to comply with policies of the Telford & Wrekin Local Plan, and is in accordance with national policies contained within the NPPF.

10. DETAILED 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 Condition(s):

1. Time Limit
2. Details of Materials
3. Foul and Surface Water Drainage
4. Landscape Design
5. Stabilisation Works
6. Erection of Artificial Nesting/Roosting Boxes
7. Lighting Plan
8. Tree & Hedge Protection
9. Parking, Loading, Unloading, Turning
10. Visibility Splays
11. Access Drive Bound Material
12. Works in Accordance with the Approved Plans
13. Removal of Permitted Development Rights