

TWC/2020/0466

Land west of Lawford Close, Off Majestic Way, Aqueduct, Telford, Shropshire  
Reserved matters application for the erection of 39no. dwellings including layout,  
scale, appearance and landscaping in pursuant to outline planning permission  
TWC/2019/0487 \*\*\*AMENDED PLANS AND ADDITIONAL INFORMATION  
RECEIVED\*\*\*

**APPLICANT**

Living Space

**RECEIVED**

03/06/2020

**PARISH**

Dawley Hamlets

**WARD**

Dawley and Aqueduct

**THIS APPLICATION IS BEING DETERMINED AT PLANNING COMMITTEE  
FURTHER TO COMMITTEE MEMBERS RESOLVING THAT THE RESERVED  
MATTERS SHOULD BE PRESENTED TO THEM AND HAS ALSO BEEN  
REFERRED BY DAWLEY HAMLETS PARISH COUNCIL**

Online planning file: <https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?Applicationnumber=TWC/2020/0466>

**1. SUMMARY RECOMMENDATIONS**

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT RESERVED MATTERS PLANNING PERMISSION** subject to conditions and informatives.

**2. APPLICATION SITE**

- 2.1 The application site comprises an irregular shaped parcel of land comprising 2.55ha of semi-improved pasture land with treed boundaries to the south, west and the majority of the northern edge. A timber stable block and barn are located in a relatively central point along the western edge of the site. The site is subject to a change in level, with an overall fall of approximately 12.5m from the northern tip of the site to the south western corner over a distance of approximately 300m, together with a variable east to west cross-fall from Majestic Way to The Ironbridge Way footpath.
- 2.2 Located in the existing residential area of Aqueduct around 3km to the south west of Telford Town Centre, the site sits to the west of Majestic Way linking through to Dawley to the north and connecting routes to Madeley, Lightmoor and the Town Centre to the south.
- 2.3 A Public Right of Way abuts the site to the north east linking to the mature tree lined Ironbridge Way (8 mile footpath linking through to Leegomery in the north of Telford and Ironbridge to the south) adjoining the site to the west. The Dawley Pools and Pit Mounds Local Nature Reserve - which was formally adopted in January 2019, then sits beyond this, a Green Network designation is also in place for this adjoining area of land and marginally tips into the

western and southern edges of the site, the latter forming part of a larger swathe of designated land.

- 2.4 Aqueduct Primary School lies to the north east 0.3 miles on foot and 0.6 miles by car, with a chemist and two convenience stores along Majestic Way (0.2-0.3 miles). The former Aqueduct surgery has closed since outline permission was granted, it is understood that this was led by development of a super-practice with the nearest being Lawley, Madeley and Malinslee surgeries.
- 2.5 The nearest residential dwellings are located to the north east of the site off Majestic Way and Widewater Close, together with residences off Majestic Way opposite looping round the inner curve of the road. With the exception of the adjoining bungalows to the south, dwellings comprise a two storey detached form. The area is characterised by suburban residential development interspersed with greenspace.

### **3. APPLICATION DETAILS**

- 3.1 Reserved Matters consent is sought for 39no. dwellings, comprising a mix of two, three and four bed units (14, 20 and 5 respectively). With the exception of four 2no. bed bungalows, all units would be two storey. The application material identifies that development will be a 100% affordable scheme. The tenure split has not been determined at the point of the application and would be agreed at a later date. The single point of vehicular access was set by the preceding outline scheme (TWC/2019/0487), and a series of raised tables installed along Majestic Way fronting the site; with details of the appearance, landscaping, layout, and scale of the proposal sought.
- 3.2 The units propose a principally brick finish, with a third of the plots comprising a light rendered finish, all include a central band detail, a mix of canopy and pitch roof porches, brick header and sill detailing. The developable area sits to the north and east of the site, with landscaping wrapping around the western areas comprising a grassland / woodland buffer, together with an existing sewer easement.
- 3.3 The houses would be set within two sections either side of the initial stretch of access road, to the north comprising fourteen units fronting Majestic Way, the estate road and at the western side four along a private drive. The remaining twenty five units would comprise back to back units along Majestic Way and then set eastwards towards the woodland boundary. A SUDs attenuation feature would sit towards the south western corner. A gravel footpath linking Majestic Way through to the Ironbridge Way has been carried through to this application in line with the parameters set through the outline permission. A grassland area, with a series of mown paths running through it, would sit between the path and the southern units.
- 3.4 The application is accompanied by a Design & Access Statement, Planning Statement, Nationally Described Space Standards Compliance Template, Slope Stability Declaration Form, Construction Environmental Management Plan, Arboricultural Assessment, Ecological Appraisal Extended Phase 1

Report, Response to Ecological Queries document, and Landscape Management Plan.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 TWC/2019/0487 Outline application for residential development of up to 39 dwellings and access from Majestic Way with all other matters reserved. Outline Granted 10/03/2020.

Pre-application enquiry:

- 4.2 PE/2020/0090 Residential Development of up to 39no. dwellings and access from Majestic Way and residential development for additional 11no. dwellings  
\* Pursuant to outline application TWC/2019/0487 \*.

#### **5. RELEVANT POLICY DOCUMENTS**

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

#### **6. NEIGHBOUR AND LOCAL REPRESENTATIONS**

- 6.1 A total of eight neighbour representations have been received to the 1<sup>st</sup> consultation (neighbour notification, press notice and site notice) raising the following summarised issues:

- Highways impacts - increase in traffic, impact on local highway network, difficulty crossing road, proposed parking spaces limited in number
- Importance of greenspace – particularly given events of 2020, value of land for horse grazing, incorporate into LNR
- Lack of need – sufficient development and sites elsewhere
- Impact on wildlife
- Impact of construction – current emphasis on people working from home, impact on mental health
- Insufficient infrastructure in the locality and hospital under pressure
- Management of drainage from site unclear – floods of 2020 saw Widewaters Pool and Little Dawley Pools at capacity
- Noise pollution
- Pointless to object.

- 6.2 Further to receipt of the amended layout and further ecology coverage, a 2<sup>nd</sup> consultation took place with 41 objections received, raising the following additional issues:

- Highway impacts - proposed parking adjacent to highway and on a bend, obstruction to emergency vehicles and buses
- Horses have lost their home
- Reduction in the number of ponds – SUDs pond will not support

- amphibians
- Contamination of stream to south from site
- Design not in keeping with surrounding detached properties

During the 2<sup>nd</sup> consultation a link to an online petition has also been sent in: [https://www.change.org/p/telford-and-wrekin-council-stop-the-planning-permission-for-houses-on-open-greenland-by-dawley-pools-nature-reserve?recruiter=22811766&utm\\_source=share\\_petition&utm\\_medium=copy\\_link&utm\\_campaign=share\\_petition&utm\\_term=share\\_petition](https://www.change.org/p/telford-and-wrekin-council-stop-the-planning-permission-for-houses-on-open-greenland-by-dawley-pools-nature-reserve?recruiter=22811766&utm_source=share_petition&utm_medium=copy_link&utm_campaign=share_petition&utm_term=share_petition) commenting Please see petition with over 2000 signatories and comments

6.3 The Friends of Dawley Hamlets Local Nature Reserve: Object subject to conditions:  
Ask for the following ecological concerns to be raised and discussed during the planning committee:

- Designation of the LNR was not in place when the report was written; should this be reviewed now?
- Observations of nature not addressed fully in the Ecological survey and report
- Retention and enhancement of the bordering woodland is key; particularly for the GCN population; reassurances sought that the Group will be involved in these steps?
- Section 106 money – confirmation sought during the committee meeting that the allocated figure £52,900 for ecology has been acknowledged as part of the Reserve Matters stage. How much of this will go directly towards supporting the Nature Reserve with the proposed movement of wildlife to the area and maintaining the Green corridor?

6.4 CPRE: Object

- use of greenfield site when a suitable brownfield site available less than 1 mile away in Lightmoor Road
- Contrary to Telford & Wrekin Local Plan – including the Borough Profile 2.1.3. and 2.2.2., 6.2.2., Policy NE2
- need of open space for existing residents
- Access to the existing residents to the amenity to the west of this development is severely restricted. There is no open land in that area
- Impact on wildlife – sufficient buffer zone to LNR, designation not started when original planning went in
- Tree retention plan does also not address the requirement that ratio 2:1 and native species provision
- Vagueness of Landscaping Proposals plans
- Query around continued maintenance of open space and pool
- Insufficient road width
- Concern that this proposed development is highly likely to commit an offence disrupting the high population of the wildlife if Natural England Risk Assessment Tool is applied.

## **7. STATUTORY REPRESENTATIONS (SUMMARISED)**

### 7.1 Dawley Hamlets Parish Council: Object and Called in the application:

- Procedure - during the outline planning committee meeting, it was confirmed that the application would go before the planning committee at the Reserve Matters Stage
- During the debate some Members raised concerns regarding increased traffic, potential risk of flooding from the reservoir, loss of trees, inadequate drainage, impact on wildlife, the replacement wall which would need to be 10ft high, unsuitability of the site, insufficient parking and it was asked if a speed reduction scheme could be introduced and asked if there could be a deferral or refusal for this to be looked at
- Level of objection - appropriate for this to be heard before the Planning Committee
- Loss of one of the few green spaces left in Aqueduct
- Local primary school is full in some year groups
- Aqueduct medical practice has now closed
- No footpath on the planning application side of Majestic Way leading to Castlefields roundabout forcing pedestrians to cross Majestic Way at least twice to cross the bypass to walk to Madeley
- Traffic will increase on Castlefields roundabout which is already gridlocked at peak times
- Majestic Way is already a busy road, parents park there to pick up and collect their children from Madeley Academy and residents park on the road and across the pavements due to inadequate private parking.
- New junction and house drive access which will increase traffic and the chance of accidents
- Effect the development would have on wildlife in the area including a population of great crested newts
- Tree retention plan does not appear to address the 2:1 planting ratio for every tree removed using local species
- Effect of development on Dawley Hamlets Nature Reserve which sits next to the site
- Concern development may cause flooding.

### 7.2 Highways, Drainage, Ecology and Healthy Spaces – Support subject to conditions

### 7.3 Shropshire Council Policy & Environment Sustainability Group: No comment

### 7.4 Shropshire Fire Service - Comment requesting swept path analysis undertaken for the development and standard informative requested.

### 7.5 West Mercia Police – Comment with standard informative requested.

## **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:

- Design including levels and impact on the amenity of adjacent properties
- Trees and Ecology
- Highways impacts
- Drainage
- Other matters

8.2 Officers note that a number of neighbour representations object to the principle of the development, including a lack of local infrastructure and the loss of the greenspace entailed. The access point has raised further objection. The site being brought forward for development has however been established through grant of the outline scheme with the access point set at that point, this application being around the details of a scheme.

8.3 From the pre-application history identified above, it is apparent that a greater quantum of development had been a potential and subsequent option, it is understood that the varied levels at the southern end and further constraints (shadowing, easement, etc.) would not make this a realistic prospect; the LPA had identified its opposition to a greater level of development coming forward and have sought greater detail around the use of the open space towards the southern end of the site with an active recreational use for the locality now shown.

#### Design including levels and impact on the amenity of adjacent properties

8.4 Whilst the outline scheme did not include the approval of layout, providing an indicative layout only, it did set a number of principles key to the consideration of a subsequent Reserved Matters (RM) application. A condition was imposed that the submission of the RM application and the implementation of the development, be carried out in substantial accordance with a Landscape and Habitat Principles Plan, Site Constraints Plan, and the principles of the Design & Access Statement.

8.5 The current application has taken on board the shadowing influence of the adjacent woodland to the west and south, with development sitting outside of the relevant area, as well as, away from the drainage easement. A footpath through to the Ironbridge Way has been maintained, and the existing trees to the north (with the exception of one), south, and west retained and protected as necessary.

8.6 Amendment has been sought to reflect a more comparable density to development along Majestic Way, with the LPA raising concern as to the proposals in this regard at the pre-application stage amounting to 44 dwellings per hectare (dph).

8.7 This was then reduced to 39dph at the outset of the application, but remained well above that in the immediate locality at around 31dph, and was considered to represent overdevelopment of the developed area. Further, the emphasis

across the site as a whole remained on provision of semi-detached units, with the Committee report for the outline scheme having reflected a clear need for a presence of detached units more aligned with the street pattern along Majestic Way.

- 8.8 By taking up more of the land at the southern end though still avoiding the steepest area where a large amount of additional groundworks would be entailed, and shifting the developed area north where the site is flatter, a reduction to 35dph has been secured. A crescent arrangement is retained along Majestic Way. Additional planting to the end of the inner road at each end of the site proposed to provide a focal point further to concern by the LPA as to a lack of punctuation of the vistas, ideally built development would have been provided but is not achievable due to the levels context at the southern end, and the potential fit with the other units at the northern end.
- 8.9 Balanced with a varied housing mix of 2, 3 and 4 bed units, as sought through the application of TWLP Policy HO4, the approach is considered acceptable. The properties meet the Nationally Described Space Standards (NDSS) as further necessitated by this policy. Minimum garden sizes of 52m<sup>2</sup> (2-beds) and 74m<sup>2</sup> (3+ beds) have also been surpassed.
- 8.10 The elevational treatment has been adjusted to incorporate a variety of porch styles, including wider feature ones appreciating the presence of full width canopies along Majestic Way, with a band detail added. Brick headers would be present on a number of plots, together with a brick plinth on the feature rendered units, which have been incorporated to provide a contrast within the development. A mix of grey and brown roof tiles, and bricks is sought, again for contrast. Tweaking of the elevational detailing between the detached frontage units has been sought, together with repositioning of a detached unit to avoid a full run of these set next to a full run of semidetached units, to avoid monotony in the streetscene.
- 8.11 Walled boundaries are proposed along more extensive enclosed stretches within the streetscene at strategic points, including along the initial stretch of road between the front and back line of development, in part combined with fencing inserts to break up the solid run of boundary. As per the principle established at the outline stage, appropriate corner turner properties are used incorporating gable windows and doors to form an active elevation to each street. A mixture of front and side parking has been utilised as per a request of the LPA, with a greater emphasis on the latter now, further to concern as to the dominance of parking within the streetscape.
- 8.12 Additional planting and mown footpaths have been designed for the southern open space in order to provide a more scenic setting for the new pedestrian link and to provide a transitional space between the new development and the existing woodland area.
- 8.13 The topography of the site, alongside the inclusion of a number of bungalows will provide a varied ridgeline across the development. A varied building line,

as per the pattern of development locally, is provided through the proposed layout.

- 8.14 The separation distances between proposed plots has been amended through the course of the application, particularly led by the levels present across the site, needing to provide sufficient privacy between habitable windowed elevations, and private rear amenity. Units on the rear crescent have been drawn forward, and offset as much as possible. Whilst distances do fall slightly below the guide of a 2m increase in separation for every 1 metre rise in ground level, the offset angles, the context of an element of occupant awareness entailing a new to new property, on balance the approach is judged acceptable.
- 8.15 Relating to existing properties on Majestic Way, with the exception of unit 8 to 138 Majestic Way opposite, a minimum separation distance of 22 metres is provided (unit 4). The majority being over 24 metres, and the units modestly turned to avoid a direct on perspective. For plot 8, the separation distance stands at 19.5m at the closest point to the neighbour opposite, both properties are however set at an angle to avoid a direct on view and is therefore considered acceptable. Side elevations to the north including onto Widewaters Close entail bathrooms only, distances exceed 12m with a footpath in between.
- 8.16 The development entails the provision of retaining walls along the garden boundary between the front and rear for plots at the southern end as an approach anticipated through the outline scheme, this comprises 600mm max at the southern end, down to 400mm between plots 6 and 34. The development does entail some gardens with a gradient, and four units with a modest element of terracing between a patio area and the remainder of the garden to the extent of four steps only. Critically, this is without significant reworking of the site which would be considerably costly and change the relationship of the site to the adjacent woodland to a much greater extent than entailed through the proposed arrangement. The application is accompanied by a completed slope stability declaration form endorsing that the structural integrity of the development will not be compromised by slope instability and can tolerate the ground conditions by special design as required by TWLP Policy BE9.
- 8.17 Officers consider the proposal to represent an on balance position relating to its design. The site frontage would feature an emphasis of detached units, or semi-detached units designed to imitate detached units, to tie in with the pattern of detached properties along Majestic Way. A mix of properties would then be provided across the remainder of the site, including an element of variation in the architectural detailing, proposed materials, ridge and building line. Sufficient separation distances have been secured to existing properties in the locality, and between on-site properties appreciating an element of occupant awareness. The application is accompanied by a slope stability declaration form. Officers are satisfied that the requirements TWLP Policies BE1 and BE9.

## Trees and Ecology

- 8.18 The site plan indicates that a series of new planting will be provided within the front gardens of the properties, as well as across the open space at the southern and western edges. The northern hedge and tree boundary is to be reinforced and will provide an improved backdrop to the adjacent footpath, particularly bearing in mind the installation of a fence line to demark the new properties. Additional planting will sit across the southern open space, with measures in place to secure sufficient replacement, TWC Ecology have confirmed the use of sufficient native species.
- 8.19 Officers consider that sufficient detail has been provided for the purpose of landscaping requirements of a reserved matters scheme, with additional detail / amendment to be provided in order to fully discharge the landscaping and landscape management plan conditions of the outline approval. This includes details as to the Management Company for the ongoing maintenance of the landscaping, and how it is to be financed (e.g. service charge), and a longer maintenance schedule as sought by TWC Healthy Spaces, and in part queried by CPRE.
- 8.20 The proposed ecological enhancements on site are in line with the principles set out / agreed at the outline planning stage. It is acknowledged that, although the placement of ecological enhancement has been altered, the 'area' proposed is equivalent to that agreed through the outline.
- 8.21 Relating to comments made by Friends of Dawley Hamlets Local Nature Reserve and CPRE, TWC Ecology confirm that the designation of LNR has been taken into consideration when commenting on this application, both at outline and RM planning stage. Simply Ecology Ltd have undertaken extensive ecological survey work at the proposed site, and TWC Ecology are satisfied that the proposal has been designed in light of the ecological findings. The boundary features will be retained and protected during and post development, and the grassland areas proposed will be managed to a higher biodiversity value than what is currently available to reptiles, and amphibians in their terrestrial phase i.e. from a grazed pasture to an annual cut wildflower meadow.
- 8.22 Additional planting on site will be managed in accordance with a habitat management plan. The costings of which have been secured for the lifetime of the development as part of the planning application process. The section 106 financial contribution will feed directly into the LNR management, this will ensure that increase visitor pressure does not have a negative impact on this important biodiverse site and it will help enhance Telford's Green Network. Regarding CPRE's concern as to application of the Natural England Risk Assessment, TWC Ecology have considered the proposal under the Habitats and Species Regulations and concluded that the favourable conservation status of GCN in the local area will be maintained.
- 8.23 Officers are duly content that subject to the extant conditioning of the outline permission, the biodiversity value and arboricultural context of the site and its

surroundings will not be negatively impacted upon by the proposal in accordance with TWLP Policies NE1 and NE2.

#### Highways impacts

- 8.24 The principle of development of up to 39 dwellings on the site was established with outline permission, including access. Subsequently, highways conditions pertaining to access visibility and requisite off-site highway works along Majestic Way in vicinity to the site frontage were secured as part of the outline permission. The primary highways consideration of this RM application therefore lies with the internal development layout in terms of parking and manoeuvrability.
- 8.25 With regards to the quantum of parking across the site, the proposals meet the Local Plan parking standards, with 81 spaces required and 81 spaces provided, with no objection having been raised to the configuration of parking.
- 8.26 On this basis, the Local Highway Authority make no objections to the proposals, subject to conditions around the detailed design for the highways works, and the timing of parking, both are controlled through the outline permission. Having regard to the above, the LPA is satisfied that the scheme accords with the requirements of TWLP Policies C3 and C5.

#### Drainage

- 8.27 The application proposes that both foul and surface water will be connected to mains sewer towards the south western corner of the site, the latter further to being run through an attenuation pond, and noting concern as to potential contamination of a small stream to the south of the site in local representation. In line with condition 4. of the outline permission, a SuDs maintenance technical note, surface water calculations and drainage strategy have been provided. TWC Drainage have no objection in principle to the information provided, with a detailed drainage design controlled through a condition imposed on the outline permission, thus ensuring compliance with TWLP Policies ER11 and ER12.

#### Other Matters

- 8.28 Concern as to the impact of the construction phase has been raised within neighbour representation, particularly related to an increased emphasis on working from home. Details have been provided by the applicant, with measures proposed related to controls around noise and dust generated, and operational hours; all being in line with a generally accepted approach. Further detail has been requested around the location of the site compound in order to discharge the relevant Site Environmental Management Plan of the outline permission. The LPA recognises that delivery of a development does impact on neighbouring properties, with the applicant required to demonstrate mitigation measures to reduce the impact entailed as much as possible.

## 9. CONCLUSIONS

- 9.1 The Reserved Matters application has brought forward a scheme that is compliant with the outline approval. Further to amendment, with the provision of detached accommodation on the site along Majestic Way and a greater land take up at the southern end of the site, a balanced approach to density and providing a range of housetypes has been secured. Sufficient separation distances can be provided between new and existing properties, together with between the onsite plots having particular regard to the level changes entailed, to sufficiently protect residential amenity. Property sizes both relating to internal layouts and garden sizes are have achieved levels sought by the LPA.
- 9.2 The application has added an additional layer of detail around the ecological, highways and drainage context of the site, with further control through conditions remaining in place from the outline approval, in order to satisfy technical concerns. Officers are satisfied that matters relating to further detailing are sufficiently covered through conditioning remaining from the outline permission together with proposed conditioning around materials. The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

## 10. DETAILED RECOMMENDATION

- 10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is to **GRANT RESERVED MATTERS PLANNING PERMISSION** subject to the following conditions (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager):-
1. Time Limit – Reserved Matters
  2. Materials samples
  3. Brick sample panel
  4. Development in accordance with approved plans (no approval of landscaping plan, drainage plans)

With the following conditions of the outline permission remaining in place:

1. Time limit – Outline
9. Geotechs – Foundation Design
10. Road Design
11. Off-site highways (details to be approved)
12. Parking, turning, loading and unloading of vehicles – implementation still relevant
13. Foul and Surface Water Drainage
14. SUDs Management Plan
15. Landscaping Design
16. Landscape Management Plan (long term)
17. Habitat Creation and Management Plan
18. European Protected Species Licence
19. Site Environmental Management Plan

20. Visibility Splays
21. Protective Fencing Trees
22. Tree Replacements
23. Lighting Strategy
24. Artificial Bird Boxes/Bat Roosts.