

TWC/2014/0178

21A St Michaels Close, Madeley, Telford, Shropshire, TF7 5SD

Outline application for the erection of 2no. dwellings with associated access (All matters reserved) \*\*\*AMENDED PLANS RECEIVED\*\*\*

**APPLICANT**

, Mr N Coats

**RECEIVED**

12/05/2014

**PARISH**

Madeley

**WARD**

Madeley

**OFFICER** Matthew Thomas

**COUNCILLOR GILLIAN GREEN HAS REQUESTED THAT THIS APPLICATION BE DETERMINED AT PLANNING COMMITTEE**

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Principle of residential development, Loss of Green Network, Impact on amenities of neighbouring properties and character of area being in close proximity to the boundaries of the Severn Gorge Conservation Area and World Heritage Site, Site stability and impact on trees and ecology.

**PROPOSAL**

This planning application seeks outline consent for the erection of 2no. dwellings on land adjacent to No.21a St Michael's Close in Madeley. This application seeks permission for the creation of vehicular access off St Michael's Close however all other matters including appearance, layout, scale and landscaping reserved for later approval. Access to the site was originally proposed off Coalport Road to the east of the site however this was later amended following discussions between the applicant and the Local Planning Authority.

This application is supported by a Planning Statement, an Ecological Assessment (prepared by Churton Ecology) and a Slope Stability Report (prepared by Telford Mining & Geological Services) which includes a Mining Report from the Coal Authority and a Slope Stability Declaration Form. Indicative elevations and floor plans also accompany the application however these are for demonstrative purposes only and final details will be determined at a later stage.

**SITE AND SURROUNDINGS**

The application site is situated adjacent to No.21a St Michael's Close, an established residential cul-de-sac in Madeley and comprises existing garden land to this dwelling. The site lies to the east of the main dwelling and measures approximately 0.1 hectares. The site slopes considerably west to east falling away from St Michael's Close to Coalport Road. The site itself is mostly laid to lawn however there are a number of mature trees along the eastern and southern boundaries.

Coalport Road to the east and south of the site forms part of the boundaries of the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site

albeit the site itself falls outside of these designations. The site does however fall within the Borough's Green Network designation, including the existing property.

The existing dwelling was built approximately 25-30 years ago and sits at the head of St Michael's Close on a considerably large plot. The cul-de-sac is predominantly made up of late 1980's style detached two storey properties and bungalows. This is a sustainable location, within close walking distance to Madeley town centre where there are a range of facilities and there are a number of primary and secondary schools nearby.

## SUMMARISED CONSULTATIONS

### Standard consultation responses

#### Madeley Town Council: Comment

- Site not identified under SHLAA for residential development but it is adjacent to site 244 which is described as achievable despite its status as Green Network and its location within the Ironbridge Gorge World Heritage Site and Severn Gorge Conservation Area
- Proposal is for two 4+bedroom detached dwellings that would have a considerable footprint within the site area of 0.1ha.
- Car parking standards would require the provision of up to 6 allocated spaces for off road parking. On street parking is not an option.
- The site slopes considerably West to East and an evaluation is needed on both drainage and land stability
- Notwithstanding the low amenity value of the site as Green Network, development of the site would mean the loss of open, green space and the removal of a number of trees which would have an adverse impact on wildlife habitat and links with the surrounding area

#### Highways: Comment

- Originally raised concerns over the achievability of accesses off Coalport Road due to gradient. Accesses would need to have a gradient of no greater than 1 in 10 for the first 5m from the carriageway. Visibility splays of 2.4m x 43m would also be required
- Following receipt of the amended access, showing access off the existing driveway, no objections in principle subject to the following condition:  
B42 – Parking & Turning

#### Drainage: Support subject to conditions

- Scheme of foul drainage and surface water drainage
- Greenfield run-off rates
- Survey of un-named watercourse under Coalport Road was originally requested but no longer required following the amended access.

#### Ecology: Comment – Include following conditions/informatives

- Erection of nest boxes
- Lighting Plan
- Include ecology informatives

#### National Grid: Comment

- Although National Grid does have a pipeline in the vicinity, the proposed development is outside the criteria requiring any improvements

Shropshire Fire Service: Include Fire Authority informative

#### Neighbour consultation responses

Following neighbour consultation, 5 letters of objections were received raising the following concerns:

- Loss of privacy for neighbouring properties
- Loss of green network and amenity value – proposed development would make no contribution to its overall function or value
- Concerns about flooding and land stability – there is an ordinary watercourse along the eastern side of the site, a storm water outfall opposite the site and area is known to flood
- Heritage concerns – site is located off Coalport Road which forms the boundary to the World Heritage Site/Conservation Area.
- Proposals will be contrary to policies which aim to conserve and enhance the character and setting of the historic environment
- Ecology and biodiversity concerns
- Highway/access concerns – access on to Coalport Road would be dangerous. Lack of pedestrian footpaths in this area
- Access and egress is poor with substandard visibility
- Development would be out of character with the local environment
- Loss of hedgerows and trees – detrimental to local wildlife
- Development would set an unwelcome precedent for similar types of development within the area
- Medieval boundary bank and ditch and post medieval structure at the immediate eastern edge of the proposed development site
- Loss of views from residential dwellings
- Increased noise in the area – detrimental to residential amenity

\*\*Following receipt of amended plans, neighbours were re-consulted. 13 letters of objections were received and the following additional issues were raised:

- Removal of existing hedgerows/trees should be prevented should planning permission be approved
- There is no requirement for additional dwellings in this area
- Some local residents are elderly and or in poor health and this proposed development will cause them disruption
- Existing parking problems within the area from parents dropping off school children or when there are funerals or other events taking place at St Michael's Church – congestion will be exacerbated by the development
- Electrical supply – some residents of St Michael's Close endure frequent power cuts – particularly in winter months. A further two dwellings will compound the problem further
- Drainage issues locally – concerns that the sewer will not cope with additional throughput

- Disruption to residents during construction
- Impact on residential amenity from additional light from vehicles etc – which will result in adverse impact on wildlife
- Concerns over site stability – evidence of landslip
- Previous planning applications on this site for development have been refused
- Highway concerns – history of accidents/near misses in locality
- Impact on value of neighbours' properties
- Adverse impact on local area – loss of peace and tranquillity which it offers
- Concerns over Ecology report & Slope Stability report submitted and some discrepancies within

#### RELEVANT HISTORY

W85/0934 – Erection of a dwelling house and construction of a new access – Outline Refused (11/03/86)

W87/0751 – Erection of a split-level bungalow with integral double garage and construction of new access – Outline Granted (01/03/89)

#### RELEVANT POLICIES

National Guidance:

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes

CS9 Accessibility & Social Inclusion

CS12 Natural Environment

CS15 Cultural, Historic & Built Environment

CS15 Urban Design

Wrekin Local Plan:

EH14 Land Stability

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

OL3 Green Network

OL4 Development in the Green Network

OL5 Extensions & Redevelopment in the Green Network

OL6 Open Land

Madeley Neighbourhood Development Plan:

H7 Windfall and Infill Housing Development

GS1 Local Green Spaces

GS3 Trees and Woodlands

LC4 Coalport Road

#### PLANNING CONSIDERATIONS

This outline planning application for the erection of two dwellings and associated access raises a number of issues for consideration including;

- the principle of residential development on the site
- the loss of the site which currently forms part of the borough's Green Network and associated impact on local wildlife and existing trees

- consideration to ground stability and whether the site is suitable to accommodate further development
- the impact on amenities of neighbouring properties and the character of the area, being in close proximity to the boundaries of the Severn Gorge Conservation Area and Ironbridge Gorge World Heritage Site

### Principle of Residential Development

The National Planning Policy Framework (NPPF) advises that 'housing applications should be considered in the context of the presumption in favour of sustainable development' and encourages Local Planning Authority's to deliver a wide choice of high quality homes identifying the size, type and range of housing that is required in particular locations. The guidance advises Local Planning Authority's (LPA) to refuse development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions. The application site is situated within the built up residential area of Madeley within close walking distance to the Town Centre where there is a range of shops, services and employment opportunities and a number of schools are located nearby. On this basis, the LPA is satisfied that this is a sustainable location suitable for residential development.

In accordance with the NPPF, Telford & Wrekin Council must identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of housing against its housing requirements set out in the adopted development plan, which comprises relevant saved policies in the Wrekin Local Plan and the Core Strategy (2006-2016). The Council maintains its position regarding the significant supply of housing land that exists across the borough, comprising committed sites and sites identified in the current Strategic Housing Land Availability Assessment (SHLAA). Nonetheless, a reassessment of the five year land supply position, particularly in terms of the deliverability of committed sites within five years, has produced a lower delivery figure of 2.5 years. This has implications for decision-making on planning applications, where by para 49 of the NPPF states that 'relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites'. Paragraph 14 states that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. This underlines that planning applications should not be considered on the grounds of housing supply alone (i.e. policy CS1 of the Core Strategy) and that they should therefore be decided against the golden thread of the presumption in favour of sustainable development.

The National Planning Policy Framework continues to confirm that LPA's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent, or where relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.

Policy H7 of the Madeley Neighbourhood Development Plan states that planning permission will be granted for new residential development on previously developed

land provided that the design and layout of the proposal respects the character, visual quality and built landscape of the locality and the wider area and meets with the criteria in Policies H4 & H5. It also requires that the proposal would not be significantly detrimental to the amenities of the adjoining or nearby occupiers. Policy GS3 seeks to protect trees which provide valuable amenity and policy LC4 refers to Coalport Road and states that any development should respect the rural character along Coalport Road in terms of scale and design and the loss of roadside planting should be avoided.

#### Green Network & Impact on Ecology & Trees

Policies OL3 and OL4 of the Wrekin Local Plan relate to the intrinsic value of the Borough's Green Network as well as providing guidance to development within this designation. Policy OL3 sets out the 6 principle aims of the Green Network which include maintaining Telford's image as an attractive place to live and work, the separation of the built up areas with green wedges, to provide informal recreation and open space and to protect the Borough's ecological and archaeological heritage. The NPPF however asserts the local green space designation should only be used where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife.

It is argued that the purpose of the Green Network is not reflected within this site given that the site is enclosed and relates to a residential curtilage where permitted development rights exist; this site is also inaccessible to the public and is generally featureless other than the mature trees along the southern and eastern boundaries. The Ecological Assessment which accompanies the application states that the site 'predominantly comprises sparsely vegetated ground with some amenity grassland and small trees; scrub and trees and/or hedgerow run along three boundaries. None of these habitats are priority ones and are of negligible ecological value'. The Council's Ecologist supports the findings of this assessment and has raised no objection to the application subject to the inclusion of appropriate conditions including further details regarding the erection of bird boxes and a lighting plan. Further conditions will be imposed requesting further details regarding tree protections measures.

Referring back to the guidance within the NPPF, officers do not therefore consider that the site is 'special to a local community' or 'holds a particular significance because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife'. Whilst the site is located on the boundaries to the World Heritage Site and Conservation Area, the site is not of historic significance, being enclosed private garden land. Taking the above in to consideration, the Local Planning Authority is satisfied that the principle of residential development on this land is acceptable as the Borough's Green Network designation will be unaffected subject to the retention of the boundary which is important in this locality and therefore the proposed scheme will comply with policies OL3-6 of the Wrekin Local Plan and policy CS11 of the Core Strategy.

#### Land Stability

The application site occupies a marginal position between a broad plateau area to the west and the sloping valley side to the east of Coalport Road. Because of the

considerable differences in ground levels, the Local Planning Authority was concerned over land stability and whether the ground was suitable to accommodate the proposed development. The applicant was asked to produce a Slope Stability Declaration Form, completed by a competent person to support the application. Subsequently a Slope Stability Report (prepared by Telford Mining & Geological Services) was submitted which includes a Mining Report from the Coal Authority and a verified Slope Stability Declaration Form.

Policy EH14 of the Wrekin Local Plan advises that development will be permitted within the Mineral and Mining considerations areas or areas of suspected slope instability where it is demonstrated that the proposed development can tolerate the ground conditions and structural integrity is not compromised by slope instability. The Slope Stability Report submitted acknowledges that the proposed dwellings are intended to take the form of a pair of split level semi-detached properties and that the site topography will inevitably dictate some shallow excavation into the bank on the west side of the site. The report recommends that these dwellings be founded on a reinforced concrete raft or ring beam and that the structures also incorporate an integral retaining wall along the west elevation to provide support up-slope. The Coal Authority mining report confirmed that there are no recorded mine entries within 20m of the site boundary and also that the site is free from the risk of shallow mining instability. The applicant has submitted the required supporting information which concludes that there is 'no engineering reason why the proposed development on land adjacent 21a St Michael's Close, Madeley should not proceed as proposed' and therefore the Local Planning Authority is satisfied that the proposed development accords with policy EH14 of the Wrekin Local Plan.

#### Impact on Residential Amenity & Character of the Area

The Local Planning Authority acknowledges that the site is located in a sensitive area, bordering the Ironbridge Gorge Conservation Area and the Severn Gorge Conservation Area. Policy CS14 of the Core Strategy focuses on protecting and enhancing the historic environment, cultural and built heritage within the borough to maintain and improve quality of life. Paragraph 137 of the National Planning Policy Framework advises Local Planning Authorities to look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance.

Access to the site was originally proposed off Coalport Road, which would have resulted in the loss of the mature trees along the eastern boundary with this road. There are trees along the eastern side of Coalport Road from the top all the way down into the Gorge and this feature emphasises the entrance to the World Heritage Site/Conservation Area and officers were therefore keen not to see this disrupted. Access was therefore repositioned to St Michael's Close via the entrance to the existing property. The Council's Highways Engineers resolved to have no objections to this and the impact of an additional two properties will not attract an increase in traffic which would be of detriment to this existing residential development. Following receipt of these amended plans, for outline purposes, officers are satisfied that there will not be an adverse impact on local heritage and the two dwellings will be merely a continuation of the existing dwellings to the north on St Michael's Close.

Policy CS15 of the Core Strategy encourages designs which will assist in creating and sustaining safe places, strengthening local identity and positively influence the appearance and use of the local environment. Policy UD2 of the Wrekin Local Plan advises the LPA to assess development proposals in relation to its scale, massing, form, density, orientation and layout, proportions, landscape elements, access and spatial quality.

Indicative elevation and floor plan drawings have been submitted to the LPA however these are for demonstrative purposes only. Final appearance details, layout, scale and appropriate landscaping of the site will be dealt with under a separate planning application but when considering the indicative layout, officers are of the opinion that two dwellings can be accommodated on this site without having an adverse impact on the amenities presently enjoyed by neighbouring properties and the character of this sensitive location. The size of the amenity areas are noted in addition to the site levels which does provide a limited amenity area, in addition to a high density; therefore it is necessary to ensure permitted development rights are removed to ensure an adequate standard of amenity area in addition to the views from the highway, which ensures the development complies with policies UD2 of the Wrekin Local Plan and CS14 and CS15 of the Core Strategy.

#### Other matters

The Local Planning Authority has considered the representations received from Madeley Town Council and local residents. Many of the issues raised by neighbouring properties relate to the loss of the green network and the impact the development will have on existing residential amenities, the character of the local area and concerns regarding highways, drainage and ecology which have been discussed above.

This application seeks outline consent with associated access only and therefore detail relating to appearance, scale, layout and landscaping will be considered at a later stage through a separate planning application. However officers are satisfied that two dwellings can be accommodated in this location and through careful design consideration will not significantly affect the amenities of neighbouring dwellings or the character of the area. Finally, loss of views and impacts on property values are not material planning considerations.

#### Conclusion

To conclude, the proposal for two dwellings off St Michael's Close is considered to be acceptable by the Local Planning Authority. Whilst the application site is designated as Green Network, it has been demonstrated that the site does not contribute to the core values of this designation, having little if no community benefit. The proposed layout is suitable without being overdevelopment, providing adequate access, on-site parking and private amenity space. Final appearance and design details and appropriate landscaping of the site will be considered under a separate application at a later stage. The proposed scheme complies with the principles of the National Planning Policy Framework, being a sustainable form of development and providing the Borough with a choice of high quality homes. Subject to conditions, the Council's Highways and Drainage Engineers and Ecologist have no objections to the proposal. The site is situated close to the boundaries of the World Heritage Site/Conservation Area however through careful design considerations at a

later stage, officers are of the opinion the Borough's heritage can be preserved. The scheme is compliant with local policies and guidance contained within the National Planning Policy Framework and is recommended for approval subject to conditions.

**RECOMMENDATION: GRANT OUTLINE CONSENT** subject to the following conditions:

Conditions

1. A01 Time limit – Outline
2. B002 Standard Outline – some matters reserved
3. B003 General Details Required
4. B011 Samples of Materials
5. B042 Parking & Turning
6. B046 On-site construction
7. B061 Foul & Surface Water Drainage
8. B075 Greenfield Run off Rates
9. B121 Landscaping Design
10. B130 Trees and hedgerow – Protective Fencing and retention
11. C021 Foundation Design – Stability
12. C038 Development in accordance with plan Nos.
13. C073 Tree/Hedge Replacements
14. C100 Erection of Nesting & Roosting Boxes
15. C106 Lighting Plan
16. D01 Removal of Permitted Development

Informatives

Ecology – Nesting wild birds, Trenches & pipework, Storage of materials  
Fire Authority