

TWC/2015/0580

Land adjacent 44 Cherrington Lane, Tibberton, Newport, Shropshire
Outline application for up to 2no detached dwellings (all matters reserved)

APPLICANT

Mr & Mrs R & A Howells

RECEIVED

01/07/2015

PARISH

Tibberton and Cherrington

WARD

Edgmond and Ercall Magna

OFFICER Diane Ferriday

THIS APPLICATION IS BEFORE MEMBERS AT THE REQUEST OF TIBBERTON PARISH COUNCIL.

OBJECTIONS RECEIVED: Yes

1. THE PROPOSAL

- 1.1 The application seeks outline consent (with all matters reserved) for up to two detached dwellings on land adjacent to 44 Cherrington Lane which forms part of the landholding of the Howell's family and is currently used for equestrian purposes. No indicative plans have been received; however the Design and Access statement suggests that the dwellings will be located to the rear of the site to allow parking and manoeuvrability to the frontage.
- 1.2 The application is accompanied by location and site plan, a Design & Access Statement and Ecological Assessment.

2. SITE AND SURROUNDINGS

- 2.1 Tibberton village is to the north of Telford and approximately 7 miles east of Newport.
- 2.2 The application site is located to the west of the village of Tibberton, along Cherrington Lane a short walking distance of local services and facilities. Opposite the site is a modern detached house (No. 45) and detached bungalows all different in terms of style and appearance. These properties are in a linear form and characterised by established hedging along the frontages separated from the highway by a section of grass. No. 44 is a detached house immediately to the east of the site.
- 2.3 The site is a section of land currently in equestrian use; it is level land and overlooks southwards onto agricultural land. The site is bound by established hedging along the front north and west side; no trees are within the site however there is a single tree adjacent to an existing gated access to the north and trees further along the west side.

3. RELEVANT PLANNING HISTORY

No previous planning history

4. PLANNING POLICY CONTEXT

4.1 National Planning Guidance:
National Planning Policy Framework

4.2 LDF Core Strategy:
CS1 Homes
CS7 Rural Area
CS9 Accessibility & Social Inclusion
CS12 Natural Environment
CS15 Urban Design

4.3 Wrekin Local Plan:
H9 Location of New Housing
H10 Scale of development
UD2 Design Criteria
T22 Planning Obligations

4.4 Draft Telford & Wrekin Local Plan.

5.0 SUMMARY OF CONSULTATION RESPONSES

5.1 Tibberton & Cherrington Parish Council: Has concerns about this application as it

is not an infill development; and it encroaches on the countryside contrary to policy H10B as highlighted by the Planning Inspector during the recent unsuccessful appeal of another site on the edge of the Village, 12 Tibberton (TWC/2014/0236).

5.2 Shropshire Fire Service: No comment

5.3 Drainage: Support subject to conditions

5.4 Highways: No objection subject to conditions regarding visibility splays of 2.4m x 43m with no obstructions over 800mm; parking and turning. In addition a Section 106 contribution of £500 per dwelling will be required towards a Traffic & Speed Management Scheme on the B5062 in the vicinity its junction with the access roads into Tibberton. The monies are to be paid upon commencement of the development, indexed and any unspent monies after 5 years refunded to the applicant.

5.5 Affordable Housing: No comment

5.6 Ecology: Conditions required regarding, working in accordance with protected species survey, erection of artificial nesting/roosting boxes, lighting plan and informatives on badgers and nesting wild birds

5.7 Following neighbour consultation 3 letters have been received, 1 of objection and two of comment on the following grounds;

- Recent TWC decisions rejecting planning applications in Tibberton note that the village has an adequate housing supply for the area including

those permissions already granted to fulfil the Council's housing plan commitments for the next 5 years.

- The application for even two dwellings would impact the layout and density of properties, the visual appearance and character of this part of the village.
- Should the applicants sell other adjacent land they own in the future these two new dwellings would encourage further development being considered which may push out to the hamlet of Cherrington; damaging the character of the area.
- The construction of the dwellings would impact the public drainage and water systems and impact the ecology of the area.
- Consultation is still going on regarding the village's 5-Year plan, so no decision should be reached until it is concluded.
- Accept inevitability of limited development of dwellings in village; however believe that extension of the village into green filed sites on its margin should be the subject of careful consideration to ensure the open countryside in proximity to existing homes is maintained wherever possible.

6.0 PLANNING CONSIDERATIONS

6.1 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 housing at this site
- Suitability of the site for development
- Design impact on character and appearance of the area

6.2 Principle of housing at this site

The application site is situated to the west of Tibberton off Cherrington Lane and is acknowledged by local policy as being located within the rural area.

6.3 Up until March 2015 the National Planning Policy Framework (NPPF) was the driving force when determining housing applications in the rural area due to the lack of a 5 year housing land supply; housing could not be refused on the grounds of housing supply alone and was generally supported by the LPA if it was deemed as being sustainable development. The Council can now demonstrate a five year housing land supply and therefore housing supply policies in the development plan can still be relied on, as can other relevant policies.

6.3 Housing within villages should be considered in the context of the presumption in favour of sustainable development under NPPF guidance to boost the supply of housing. In a similar vein policy CS9 aims to improve social inclusion and accessibility by making sure that everyone is afforded reasonable opportunity to access homes, work, schools, recreation facilities, food shops and other key services. The application site is within walking distance of the hub of the village where a local shop, school, church and public house is located in addition to recreation facilities and a daily bus service and is therefore deemed to be sustainable development.

- 6.4 Policy CS1 states that housing development will seek to provide every household with an affordable, decent and appropriate home; these homes will meet local need, and be delivered in a way that creates local inclusive sustainable communities. Policy CS7 is read alongside Policy CS1 where the rural area is expected to accommodate housing but restricts development to three named settlements of which Tibberton is included as it offers residents a number of key local services and facilities with a local school, shop, public house, church, recreation facilities and bus services.
- 6.5 Policy H9 of the WLP also states Tibberton as a suitable settlement for development. H10 seeks to ensure that new development does not cause the loss of an important area of open space, nor an extension of the village into open countryside. Policies H9 and H10 are still within the development plan; however they are subservient to core strategy policies CS1 and CS7 which hold more weight.
- 6.6 As the site is a named suitable rural settlement within the strategic development framework for Telford & Wrekin and deemed sustainable having provision of service and facilities in line with National Planning guidance then the principle of residential development can be supported subject to access and other material considerations.
- 6.7 Suitability of the site for development
- 6.8 Following consultation concerns have been raised by Tibberton Parish and neighbours as to the suitability and location of the site there is a suggestion is that it is not infill and encroachment into the countryside.
- 6.9 The site is in equestrian use and designated as poor quality Grade 4 land; the hedgerows are not considered important under the Hedgerow regulations and there is no impact on wildlife. A small cluster of housing is on the opposite side of the lane and directly opposite the site lies no. 45; this property is bound by hedging to the west side and rear providing a clear definition from the adjoining agricultural land and runs in line with hedging to the west of the application site. It is deemed to be a natural end for potential housing within this part of the village. As the site is between no. 44 to the east and this hedging to the west it is deemed a suitable infill plot for up to two dwellings.
- 6.10 Planning application TWC/2014/0236 for housing adjacent to 12 Tibberton was dismissed by the planning inspectorate and the Parish Council has referred to it. Each application has to be judged on its own merits. The appeal scheme was for a different site and up to 60 dwellings which the Inspector considered as being of scale in that particular location that would extend built development into open countryside and its resultant overly urban form would harm the character and appearance of the village. This current application is a different site with a less open character and of a smaller scale (2 dwellings) so the appeal argument cannot be directly applied in this instance.
- 6.11 In conclusion this application site and proposal for 2 dwellings, located adjacent to residential development with boundary hedging providing a natural

divide from the adjoining agricultural land and level with the existing limit of built development on the opposite side of the road, is not considered to significantly encroach further in to the open countryside beyond the settlement and deemed a suitable plot given the level of development proposed.

6.13 Impact on character and appearance of the area

6.14 Concerns were raised in relation to the impact on the layout and density of properties in addition to the visual appearance and character of this part of the village. Comparing the size of the potential plots with the properties opposite it is considered that two dwellings could be easily accommodated along with a generous amount of garden/amenity space. The Design & Access statement suggests that they would be set back in a similar line to those opposite for provision of parking and either a single shared or two separate drives created to assimilate the existing pattern in this location. Although such matters of scale, layout, design and appearance will be dealt with at Reserved Matters stage it is considered that the introduction of two dwellings at this location will not result in cramped development and that a layout complimenting the immediate surrounding could be achieved without having an adverse impact on the character or appearance of the immediate surroundings.

6.15 Other matters

6.16 Landscaping and Ecology

6.17 A single tree on the northern boundary is outside of the site area and not directly affected by potential development. The applicant has suggested that proposed landscaping will be provided to the south and west boundaries and new enhanced native hedgerow to the site frontage. Landscaping is a reserved matter and officers consider that a suitably landscaped scheme can be achieved.

6.18 An ecology assessment was carried out on the site in May 2015 by Greenscape Environment Ltd. This has been viewed by the Council's Ecologist who has deemed that the scheme has no significant impact on wildlife and can be supported subject to appropriate conditions in accordance with policy CS12 of the Core Strategy. Policy CS12 (Natural Environment) states that biodiversity will be protected from development and where possible enhancements will be incorporated in to proposals to ensure nature conservation.

6.19 Access

6.20 The access is a matter reserved for later approval; however it has been suggested that the site can be accessed through one or two proposals, either a single shared private drive or two separate private drives. Some of the existing hedgerow would require removing to facilitate both access and visibility splays. The Council's Highway officer has no objections subject to a condition requiring visibility splays. There are no technical highway objections to warrant a refusal.

6.21 S106 Contributions

- 6.22 The development will have a number of impacts on the local community and infrastructure. The contribution of £500 towards highway improvements for a Traffic & Speed Management Scheme on the B5062 in the vicinity its junction with the access roads into Tibberton is necessary to improve highway safety at these junctions. This contribution is consistent with Local Plan Policy T22.
- 6.23 The applicant has agreed to these contributions that are consistent with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the Community Infrastructure Levy (CIL) changes that came into force from 6th April 2015, that restrict the “pooling” of financial contributions to no more than five contributions to a single type of infrastructure.

7.0 CONCLUSIONS

- 7.1 The application is located within Tibberton, one of the three rural settlements identified to receive new housing development. It is considered sustainable development being within walking distance of Tibberton Village with local services and facilities. It is located within an existing cluster of residential development level with the existing built up limits of the village and is not deemed to be an encroachment r in to the open countryside. Given the relatively low level of development proposed, the Local Planning Authority considers, in this instance, that residential development can be supported in this location.
- 7.2 The proposal for up to two dwellings will not have a significant adverse impact on the character of the area as the plot is of sufficient size to accommodate the dwellings and parking arrangements without resulting in overdevelopment of the site and the overall impact on the street scene will not be detrimental. Accordingly it is considered that the proposal complies with local planning policies as well as guidance contained within the National Planning Policy Framework. For these reasons the proposed development is recommended for approval subject to conditions.

8. RECOMMENDATION

- 8.1 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 OUTLINE PLANNING PERMISSION** subject to the following:
- A.) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
- (i) Highways contribution of £500 per dwelling towards a Traffic & Speed Management Scheme on the B5062 in the vicinity its junction with the access roads into Tibberton. The monies are to be paid upon commencement of the development, indexed and any unspent monies after 5 years refunded to the applicant.
- B.) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

1. A01 Time limit outline
2. A03 Time Limit – Submission of Reserved Matters
3. B001 Standard outline all matter reserved
4. B003 General details required
5. B41 Visibility splays
6. B42 Parking & turning
7. B061 Foul and surface water
8. B150 Site environmental management plan
9. C091 Ecological Survey
10. C109 Erection of artificial nesting/roosting boxes
11. C109 Lighting Plan
12. C038 Development in accordance with deposited plans

Informatives

Section 106 agreement

Ecology – Badgers/Nesting wild birds

Broadband