

TWC/2015/1097

Land between 88 & View House 103 Holyhead Road, Ketley, Telford, Shropshire
Erection of 10no. dwellings with associated garages and access ***AMENDED
PLANS RECEIVED***

APPLICANT

Chichester Property Holdings

RECEIVED

11/02/2016

PARISH

Ketley

WARD

Ketley and Overdale

OFFICER Matthew Thomas

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

OBJECTIONS RECEIVED: YES

1.0 THE PROPOSAL

- 1.1 This full planning application seeks permission for the erection of 10 dwellings, comprising of five pairs of semi-detached three bedroom dwellings together with the creation of a new access point on a piece of vacant land off Holyhead Road in Ketley. Plots 1 & 2 fronting the Holyhead Road will be constructed over three floors, plots 3, 4, 9 and 10 will be of two storey construction and plots 5-8 will also be of two storey construction with a master bedroom in the roof space. The dwellings will be served with their own on-plot parking and garages.
- 1.2 The proposed dwellings have a relatively traditional design with four variations in house types. Due to existing ground levels gabion baskets will also be required to support the development to the west of the site together with retaining walls to the northern boundaries. Details of the construction of these supporting features have been submitted to the Council.
- 1.3 The application is supported by the following documents:
- Design & Access Statement
 - Coal Mining Risk Assessment
 - Ground Investigation & Test Report
 - Gabion and retaining wall design & calculations

2.0 SITE AND SURROUNDINGS

- 2.1 The application site measures approximately 0.5ha and is situated off the Holyhead Road in Ketley. The site slopes significantly in a north-westerly direction towards the TMC Ketley development and associated recreational parks. The site has been cleared of vegetation albeit some trees remain along the boundaries to the site. There is an existing access to the site to the west of View House.

- 2.2 Neighbouring properties comprise no's 87 & 88, a pair of semi-detached, three storey dwellings to the west and View House, a prominent detached Edwardian property, to the east which all front the Holyhead Road.
- 2.3 Opposite the site is a bus stop that provides regular services in to Wellington and Telford and within easy walking distance there is a School, restaurant/takeaways, convenience stores and a Pub. The site lies approximately 3 miles to the east of Wellington town centre and a similar distance to the north-west of Telford town centre.

3.0 RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4.0 PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance:
National Planning Policy Framework
- 4.2 Core Strategy:
CS1 Homes
CS15 Urban Design
- 4.3 Wrekin Local Plan:
EH7 Contaminated Land
EH8 Remedial action on Contaminated Land
EH14 Land Stability
UD2 Design Criteria
H6 Windfall Sites in Telford & Newport
- 4.4 Telford & Wrekin Local Plan (Submission Version)
SP1 Telford
SP4 Presumption in favour of sustainable development
HO2 Housing site allocations
HO4 Housing mix
BE1 Design Criteria

5.0 SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Ketley Parish Council: Object
- Access/egress from the site is onto a very busy road directly opposite a bus stop – there is also a blind bend on the road with two very dangerous junctions off the bend; Shepherds Lane & Potters Bank
 - Concerns regarding land stability – many trees have already been removed from a very steep incline
 - Application site was landfill for many years and it is understood that there is a disused well on the site

- 5.2 Highways: Support subject to conditions
- Construction detail of all new roads & footpaths (B032)
 - Off-site footway works (B035)
 - Parking, loading, unloading & turning (C013)
 - Visibility Splays - 2.4m x 43m (C014)
 - Construction Management Plan (B150)
 - Include Highways informative
- 5.3 Drainage: Support subject to conditions
- Scheme of foul and surface water drainage
 - Greenfield run-off rates
- 5.4 Geotechs: Support subject to conditions
- The calculations supplied for the retaining walls are excellent, however, since the borehole logs shows up to 4m of Made Ground locally, the developer will need to confirm that the structures will not be founded on materials which would allow them to fail in bearing failure, i.e. we need confirmation of the target bearing strata for all the walls and the allowable bearing strength to be utilised together with details of the 'log' retaining wall.
- 5.5 Contaminated Land: Support subject to conditions
- Remediation method recommended within the Ground Investigation report should be undertaken prior to commencement of development
 - Gas protection measures recommended within the Ground Investigation report should be conditioned
- 5.6 Parks & Open Spaces: Support subject to conditions
- Proposed plot 5 is in close proximity to the main TMC NEAP – should allow a 30m buffer
 - Condition required to ensure users of the BMX track are not placed in danger whilst construction work of retaining walls is carried out
 - Long term management plan of open space required
- 5.7 Ecology: Support subject to conditions
- Erection of artificial nesting/roosting boxes
 - External Lighting Plan
 - Informatives – nesting wild birds, great crested newts, site clearance, storage of materials, trenches & pipework
- 5.8 Arboriculture: Support subject to conditions
- Tree Protection plan
 - Planting plans, numbers, sizes
- 5.9 Shropshire Fire Service: Comment – include Fire Authority informative

Neighbour consultation responses

5.10 Following neighbour consultation a single letter of objection was received and the issues raised are summarised below:

- Drainage concerns as there is a watercourse on the land
- Known landfill sites surrounding the land
- Houses to be built on land which has a steep gradient and neighbouring properties are considerably lower – concerns regarding water flow
- Loss of privacy/overlooking of neighbouring properties – plots 9 & 10 will overlook neighbouring garden
- Existing rights of way should not be affected/blocked off
- Concerns regarding highway safety with increased number of vehicles
- Gabion baskets will be 3m in height and will therefore adversely affect the neighbouring property – with garden fences built above this there is a possibility of a 5m high wall/fence abutting the neighbouring boundary

6.0 PLANNING CONSIDERATIONS

6.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Development Plan comprises the “saved” policies of the Wrekin Local Plan (WLP) and the Telford and Wrekin Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a material planning consideration.

6.2 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
- Land contamination and stability
- Impact on the character and appearance of the area
- Impact on the living conditions of neighbours
- Other Matters - including Highways and drainage

Principle of residential development

6.3 Policy H6 of the Wrekin Local Plan (WLP) states that housing development will be permitted on land that is within the built up area of Telford and Newport when the following criteria can be met: the site is adequately accessed and parking provided; the site can be adequately drained; and the proposal does not have an adverse impact on the local environment, especially in its relationship to adjacent land uses. Core Strategy (CS) policy CS1 states that Telford will be the location for the overwhelming majority of new homes, and similarly the Telford and Wrekin Local Plan (TWLP) policy SP1 advises that Telford will be the principal focus for growth to meet the borough’s housing development needs. CS policy CS9 aims to improve inclusion and accessibility by making sure that everyone is afforded the opportunity to access homes, work, shops and other key services and this is echoed in

policy HO4 of the TWLP. Finally, the National Planning Policy Framework (NPPF) advises that there will be a presumption in favour of sustainable development.

- 6.4 The site is located within the urban area of Telford & Newport where residential development exists; the accompanying Ground Investigation Report confirms that it has previously been used for the disposal of waste materials between 1987 and 1988 in a controlled environment. The site is situated within an accessible location within close walking distance to local primary schools and nurseries, convenience stores, restaurants/pubs and directly opposite the site is a bus stop that provides frequent services to the wider area including the Wellington and Telford town centres where there is a good range of services and facilities including shops, restaurants, pubs and employment opportunities are also within close walking distance. In terms of site sustainability, officers have no objection in principle to the proposed redevelopment of the site for residential use, subject to the consideration of the matters highlighted by WLP policy H6.

Land contamination and stability

- 6.5 Policy EH14 of the WLP advises that development will be permitted within the Mineral and Mining consideration areas where it is demonstrated that the proposed development can tolerate the ground conditions and structural integrity is not compromised. The applicant has submitted the required Coal Mining Risk Assessment which confirms that the site is free of the risk of shallow mining subsidence. The report does however identify that there is a recorded well on site and advises prospective developers to locate the well by excavation and to examine its condition. Recommendations on how to treat the well are also set out within the report.
- 6.6 Policies EH7 and EH8 of the WLP relate to land contamination and where it has been identified that sites are affected by land contamination these policies require the developer to 'assess the nature and degree of contamination using a method of investigation agreed in writing with the Council' and to 'identify specific remedial measures required to deal with any hazard, with the method to be agreed in writing with the Council'. The applicant has submitted the required Land Investigation and Test Report and this has been approved by the Council's Environmental Health Officer, subject to conditions requiring the developer to carry out the recommended remedial works which include bringing in clean topsoil as a capping layer, as long as the soil is analysed to ensure it is suitable and gas protection measures, prior to the commencement of development on site.

Impact on the character and appearance of the area

- 6.7 Policy UD2 of the WLP provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed developments in relation to their scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. CS policy CS15,

amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment whilst policy BE1 of the TWLP advises that the Council will support development which will respect and respond positively to its context, demonstrating an integrated design approach and respecting its landscape setting. In addition, national guidance contained in the NPPF asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.

- 6.8 The dwellings would be built at a density of 20 dph, which is considered appropriate in this location. The design of the proposed dwellings has evolved to ensure their external appearance remains respectful to the character of the local area, reflecting the period and design of the neighbouring properties and therefore respecting the overall appearance within the street scene. This part of Ketley is an established residential area, with the majority of neighbouring dwellings within the immediate locality being early C20 developments being predominantly semi-detached and detached two/three storey buildings. The proposed houses have a relatively traditional design with four variations in design, all being built beneath pitched roofs with chimneys. Boundary treatment will comprise a mixture of timber fencing to the rear and dwarf walling to the front however conditions will be imposed requiring further detail.
- 6.9 Materials have not been submitted with the application however it is anticipated to be a traditional mix of brick and tile construction. Samples of finishing materials can be conditioned to ensure they blend in well with the surroundings. Some detail has been annotated on the submitted plans with regards to landscaping of the site and whilst this is useful, a further condition requiring greater detail and implementation requirements can be imposed to ensure this is adequate and in-keeping with the area. When considering the above, on balance the scheme complies with the requirements of WLP policies UD2 and H6, CS policy CS15 and TWLP policy BE1 and officers are satisfied that the development will respect the context and character of the local environment.

Impact on the living conditions of neighbours

- 6.10 The proposed site layout plan shows a rather spacious form of development and one which will follow the gradient of the land. The rear gardens would have depths of between 7.5m and 15m. The separation distances between the proposed houses are generally considered to be acceptable. Whilst several of the plots would face each other a separation distance of approximately 15m would be achieved. The plots to the rear of the site (5 & 6) benefit from an open outlook with little issues regarding privacy or overlooking. There is a detached building to the east of these plots, approximately 20m away, but this does not currently have residential use.
- 6.11 No's 88 and 103 Holyhead Road are owned by the applicant or their relative, however it is still appropriate to consider the long term impact on these properties. Plots 1 and 2 will fronting Holyhead Road will not breach the 45 degree rule for No.88 or its attached neighbouring property No.87, ensuring

no loss of light. Whilst these properties will be three storeys in height, due to the difference in site levels, they will on be two storeys when viewed within the street scene. Plots 9 and 10 to the north-east will be positioned a minimum of 25m away and will be side on to the existing properties. Officers consider these separation distances are acceptable and will ensure there will be no loss of privacy or overlooking. Plots 8 and 7 stand a minimum 20m away from the rear elevation of No.103 and will also be side on to this property, resulting in mutual privacy. There are no properties to the south, on the opposite side of Holyhead Road that would be directly affected by this proposal.

- 6.12 Officers have visited the occupants of No.87 Holyhead Road who are concerned, amongst other issues, about the potential impact the proposed development will have on their property, in particular the enjoyment of their own rear garden area. Along the boundary between the application site and this neighbours' garden is a ground level difference of approximately 3m. As such, gabion baskets are proposed to be installed along this neighbours' boundary to support the ground for plots 1, 2, 9 and 10. Submitted drawings show that these baskets will measure 3m in height and will be hard up against the southern end of the neighbours' garden boundary. The baskets will be situated in excess of 15m away from the rear elevation of No.87 and therefore officers are satisfied the general living conditions and amenity of this neighbouring property will not be significantly affected. Nevertheless, given the close proximity of the supporting structure to this boundary, officers will require further information of how the construction of the baskets will be carried out and how they will be finished so to lessen the impact on this neighbour as much as possible. Further conditions will be imposed requiring details of boundary treatment for new dwellings as well as their siting within their respective plots, to ensure there is no significant overbearing impact on these neighbours.
- 6.13 On the basis of the above it is considered that, on balance, the proposal would not result in a detrimental impact on the living conditions of the occupiers of either the proposed or any existing houses and therefore is compliant with local planning policies and the guidance of the NPPF.

Other Matters

Highways

- 6.14 Access to the site will be created directly off Holyhead Road approximately 16m to the west of the existing access which serves 'View House'. Whilst officers appreciate the concerns of the Parish Council and the neighbouring property that this is a busy road the required visibility splays of 43m x 2.4m can be achieved. The proposal provides adequate on-plot car parking and the roadway will be constructed to an adoptable standard with adequate on-site turning for refuse vehicles. The Local Highways Authority has considered the proposals and has raised no objections subject to the inclusion of conditions.

Drainage

- 6.15 The application site does not fall within an area at risk of flooding (according to the Environment Agency's Flood Map). It is proposed that foul sewage will be disposed of through connecting in to the main sewer whilst surface water will be disposed of via soakaways. No further detail has been submitted in relation to the drainage of the site however the Council's Drainage Engineers have raised no objections in principle subject to this information being conditioned as part of any approval.

Ecology & Trees

- 6.16 The site has largely been cleared of all vegetation apart from a few trees along its boundaries. No further supporting information was required therefore relating to ecology however the Council's Ecologist has requested conditions be imposed requiring biodiversity enhancements. In similar fashion the Council's Arboriculture Officer has requested conditions are applied to ensure that the remaining trees are protected during the construction of the new dwellings as well as replacement ones being planted as part of the landscaping of the site. Whilst some detail regarding landscaping has been submitted, conditions will be added for landscaping proposals and implementation to be agreed with the Local Planning Authority as well as confirmation regarding management of the proposed open space.

7.0 CONCLUSIONS

- 7.1 In conclusion, it is considered that the proposed development complies with local planning policies as well as national planning guidance, allowing the development of a sustainable site within the built up urban area of Telford. Subject to further ground remediation works the site will satisfactorily accommodate the proposed development and in principle the site can be adequately accessed and drained with sufficient on-site car parking will be provided.
- 7.2 The siting, design and appearance of the proposed dwellings is considered to be appropriate and will respect the context and character of the area. On balance, the new dwellings will have an acceptable relationship with neighbouring properties and provide adequate amenity areas for future occupants. The Local Planning Authority is therefore satisfied that the application is in accordance with local planning policies as well as the guidance within the NPPF.

8.0 RECOMMENDATION

- 8.1 Based on the above conclusions it is recommended to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. Time limit – Full with no reserved matters
2. Samples of materials
3. Foul & Surface water

4. Run-off rates
5. Construction detail of all new roads & footpaths
6. Off-site footway works
7. Gas protection measures
8. Land Contamination – remedial works
9. Geotechs – details of retaining structures
10. Landscaping Design
11. Site Environmental Management Plan
12. Details of enclosure/boundary treatments (to include neighbouring property)
13. Parking, loading, unloading & turning
14. Visibility Splays - 2.4m x 43m
15. Tree protective fencing
16. Tree planting scheme
17. Artificial nesting/roosting boxes
18. External lighting plan
19. Development in accordance with submitted drawings
20. Removal of Permitted Development rights

Informatives

Highways

Fire Authority

Ecology