

TWC/2016/0260

Land adjacent The Knoll, Church Aston, Newport, Shropshire
Reserved matters application for the erection of 17no. dwellings with appearance,
scale, layout and landscaping pursuant to outline TWC/2014/0415.

APPLICANT

Galliers Homes Ltd

RECEIVED

17/03/2016

PARISH

Chetwynd Aston and Woodcote, Church
Aston

WARD

Church Aston and Lilleshall

OFFICER Vijay Kaul

**CLLR ANDREW EADE HAS REQUESTED THE APPLICATION IS CONSIDERED
BY MEMBERS OF COMMITTEE**

1.0 THE PROPOSAL

- 1.1 Outline planning permission TWC/2014/0415 for the erection of up to 17no. dwellings with associated access, services and infrastructure (All other matters reserved) was granted on the 31st December 2014. The principle of residential development has therefore already been established on this site.
- 1.2 This current planning application seeks approval of the remaining reserved matters (layout, scale, appearance and landscaping)
- 1.3 The proposed plans shows the provision of 17 dwellings to comprise of the following mix;
 - 1 No. 3 bed dwelling – Affordable - Shared Ownership
 - 5 No. 3 bed dwellings – Affordable - Social Rented Units
 - 3 No. 3 bed dwellings – Open Market
 - 8 No. 4 bed dwellings – Open Market
- 1.4 The main access into the site would be from The Dale, which is located to the north of the site.
- 1.5 The application is accompanied by a Planning, Design and Access Statement, Tree Survey and Arboricultural Impact and Outdoor Lighting Report.
- 1.6 The Reserved Matters application is accompanied by a parallel Discharge of Condition application for the conditions 5, 6, 7, 8, 9, 10, 12 13 and 14 on TWC/2014/0415.
- 1.7 During the course of the planning application, concerns about the siting of the affordable housing units, impact of trees on future occupiers and the design of the highway resulted in an amended layout.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is a triangular shaped field approximately 0.74 ha in area located at the eastern edge of Church Aston. Land levels across the site rise slightly from north to south.
- 2.2 The site has two road frontages, one fronting the A518 (Newport By Pass) and the second frontage onto The Dale. The Dale frontage will be the designated road access for this development.
- 2.3 The site is located in an essentially rural setting on the edge of the village of Church Aston. It is distinguished by a 2.5 m high mix of hedgerow and small trees that bounds the northern edge of the site and a mixed species belt of tree that runs along the A518 frontage. Another more prominent and established belt of trees runs beyond the western boundary of the site which is covered by a Tree Preservation Order (TPO/10/61390).
- 2.4 An Ecological Survey Report submitted with the Outline Application stated that the site and surrounds has three distinct habitats: improved grassland; hedgerows and scattered trees; and woodland. The survey confirmed there were limited bat roosting features on the site and saw no evidence of protected species. It identified that the trees are likely to be suitable habitats for nesting birds and the hedgerow a habitat for foraging and hibernating reptiles.
- 2.5 The western boundary of the site adjoins housing along The Crescent and The Dean. The closest property is The Knoll, which is large detached property set significantly into the site, with their garden immediately adjoining the application site.
- 2.7 On the opposite side of The Dale, is agricultural land and residential properties stretching further west along the frontage.
- 2.6 Church Aston has a limited number of local services including a primary school, church and village hall, and bus connections some 500m west of the application site. A more comprehensive range of services is to be found in Newport which is approximately 1 mile to the north of the application site.

3.0 RELEVANT PLANNING HISTORY

- 3.1 TWC/2014/0415 - Outline application for the erection of up to 17no. dwellings with associated access, services and infrastructure (All other matters reserved) - Outline Granted – 31/12/2014

4.0 PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance:
National Planning Policy Framework
- 4.2 Core Strategy:

CS1 – Homes
CS6 – Newport
CS7 – Rural Area
CS9 – Accessibility and Social Inclusion
CS10 – Community Facilities
CS 11 – Open Space
CS12 – Natural Environment
CS13 – Environmental Resources
CS15 – Urban Design

- 4.3 Wrekin Local Plan:
UD2 – Design Criteria
UD3 - Urban Design Assessments
UD4 – Landscape Design
H9 – Location of new housing
H23 – Affordable Housing
T22 – Planning Obligations
OL6 – Open Land
OL12 – Open Land and Landscape – contributions from new development
OL13 – Maintenance of Open Space
LR4 - Outdoor recreational Open Space
LR6 – Developer contributions to outdoor recreation open space provision within new residential developments

- 4.4 Telford and Wrekin Local Plan (Submission version)
SP2 Newport
SP3 Rural area
SP4 Presumption in favour of sustainable development
HO1 Housing Requirement
HO4 Housing Mix
HO5 Affordable housing thresholds and percentages
HO6 Delivery of affordable housing
HO10 Residential Development in the Rural Area
NE1 Biodiversity and geodiversity
NE2 Trees, Hedgerows and woodlands
NE5 Management and maintenance of public open space
C3 Impact of development on highways
C4 Design of roads and streets
BE1 Design Criteria

5.0 SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Church Aston Parish Council: Objection raised on previous application, these are re-iterated.
- 5.2 Chetwynd Aston and Woodcote Parish Council: Objection raised on following grounds;
- Site is greenfield

- Large amount of houses currently approved in area.

5.3 The Ward Member Councillor Eade has objected on the following grounds;

- Lack of fully adopted road and subsequent future access for refuse vehicles caused by the siting of underground drainage crates beneath the highway and the future liabilities this may cause.
- Density too great for this site and location.
- Excessive traffic accessing and egressing the site will cause additional congestion on what is a narrow 'one way priority' stretch of road. The proposed entrance does not easily allow a suitable visibility splay.
- Lack of sufficient and appropriate car parking facilities on the site. Impact of proposed footpath on TPO'd Tree.
- Impact of proposed drainage work on TPO'd Trees and adjacent dwellings (Damage caused by similar work at the Barns, Church Aston, by the use of a 'Hydraulic Breaker' to cut through hard sandstone) Trees and property run alongside the proposed works.
- The proposed layout of houses will result in a number of properties being adversely affected by shading from trees and prevent the penetration of daylight.

5.4 Highways: No objection subject to conditions (these are a repeat of those imposed on the previous outline consent).

5.5 Drainage: Support subject to conditions. Drainage conditions imposed on previous outline application TWC/2014/0415 can now be discharged.

5.6 Ecology: Support subject to conditions and informatives imposed on the outline consent.

5.7 Arboricultural: Comment: Following submission of Tree Survey and Arboricultural Impact Assessment amended plans, the arboriculturist advises that;

All dwellings within the proposal site will suffer from shading at different times of the day. The gardens of the plots on the eastern boundary will be in shade until midday, whereas the plots on the western boundary will be shade from around midday onwards. It is now TWC policy that we will not prune or fell trees for casting shade. Additionally, shading is not a reason to prune trees which are subject to preservation orders.

Landscaping design and protective fencing condition requested.

5.8 Shropshire Fire Service: Comment, consideration should be given to the information contained within Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications'. An informative will be required to make the applicant aware.

5.9 Shropshire Council Archaeology: No comment.

- 5.10 West Mercia Police: Comment –The applicant should aim to achieve the Secured By Design (SBD) award status for this development
- 5.11 Natural England: No objection: Proposal unlikely to affect any statutorily protected sites or landscapes.

Neighbour consultation responses

- 5.12 Direct neighbour notification was carried out to all adjoining and adjacent properties, as a result of which 8 letters of objection were received, summarised as follows;
- Unsustainable form of development in rural area, contrary to Council policies for rural housing
 - Area has more than met the proposed new housing plan for Newport and surrounding areas
 - Drainage concerns due to provision of 17 dwellings
 - Number of dwellings proposed would be overdevelopment of the plot – too dense
 - The proposal will alter/ destroy the village of Church Aston;
 - There is a disproportionate amount of new housing being planned in Newport/ Church Aston, without investment to community facilities
 - Overlooking, loss of privacy and overshadowing of adjacent dwellings and highway
 - Adverse traffic impacts along the access road and The Dale / increased vehicular movements / conflict with pedestrians / risk of accidents at A518 junction;
 - Insufficient parking and width of highway
 - Houses adjacent to the boundary with The Knoll property are close to, and will be impacted by light restrictions/shading from their mature trees
 - Future occupiers subject to noise pollution, particularly from poultry farm opposite
 - Dwellings would harm TPO's trees
 - Harmful impact upon ecology and protected species
 - Questions raised about working practices of applicant on nearby development site.

Following submission of the amendments, 5 objections were raised, raising these additional concerns;

- Development still overly dense.
- The North-West corner of the plan is incorrect, there should be a simple box corner taken out as shown in the land registered plans
- Red Kite observed over this land –ideal hunting ground.

6.0 PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations, the planning application raises the following main issues;

- Impact on the character and appearance
- The relationship between any new housing and the TPO trees; and the less established band of trees along the A518.
- Residential amenity
- Highway safety
- Impacts on local infrastructure

6.2 Background

6.2.1 A number of representations have been received, questioning the principle of the development. By way of clarification, outline approval was granted 31st December 2014 for the erection of up to 17no. dwellings with associated access, services and infrastructure. As this is a reserved matters application the principle of the residential development is not being re-considered, as this is already been established as being acceptable. This application seeks approval of all other reserved matters, namely layout, scale, appearance and landscaping.

6.2.2 Notwithstanding, it was noted on the previous application that the final design of the dwellings would need to factor in the principal landscape attributes of the site, which comprised of the TPO trees on the western boundary and the less established band of trees (to the east) along the A518. New houses would need to be sited to avoid habitable rooms from being in shade and not be sited unacceptably to the acoustic fencing.

6.3 Impact on the character and appearance

6.3.1 The NPPF suggests that Council's should set out their own approach to housing density to reflect local circumstances.

6.3.2 The 17 new dwellings would be built to a density of 23 dwellings per hectare (dph), which given the varied nature of house types in the vicinity, is considered appropriate for this area.

6.3.3 The design of dwellings within Church Aston comprises of a variety of style and character, featuring a mixture of traditional and modern single and two storey buildings. It is noted that recent residential development within the village has retained a traditional character.

6.3.4 The development would continue a two storey built form, within a varied building line along the wider frontage. There are a mix of house types being proposed, these incorporate a range of design cues that would help assimilate the development within this area, these include, pitched roofs covered in concrete tiles, decorative brick chimneys, arched brick window heads and reconstituted stone cills, bay windows, gables and timber porches. The development would not harm the wider character and appearance of the area.

- 6.3.5 Apart from the new point of access, proposed boundaries seek to retain existing hedging. Across the site frontage existing hedging already performs a visual screen along The Dale, this would be supplemented by an additional hedge planting. Within the site, the boundary enclosure to Plot 1, would be a brick wall, this would be robust and preferable boundary treatment, particularly so close to the site entrance. Elsewhere across the site, the use of either 1.3m high post and rail fencing or 1.8m high fencing would be appropriate.
- 6.3.6 The east boundary would retain the tree belt along the A518, which has been an important factor in driving the layout of the plots. Within the site, and on the opposite side to the highway, there would be siting of a 2.5m high acoustic fence, which is an essential component to screen road noise and aid the enjoyment of future residents. Given that the tree belt would be in front of this fence, it would not be a prominent feature along the A518. The presence of this tree belt would largely mask the closest plots (6 and 9), which are also set sufficiently away to ensure no harmful impact upon wider views along the along the A518.
- 6.3.7 The position of the dwellings was amended to be further away from the western boundary with The Knoll, this comprises of a mature belt of trees subject to TPO's. Plot 10 which sits at the southern extremity also has less imposing species with gaps in the tree belt. It is therefore considered that the proposed development would not compromise the long term protection of the western tree belt, which is a key characteristic in the landscape.
- 6.3.8 A detailed landscaping plan accompanying the application shows that appropriate planting to aid its assimilation into the landscape would be undertaken, which would further ensure that the site is not dominated by hard surfacing.
- 6.3.9 It is therefore concluded that there would be no conflict with saved Wrekin Local Plan Policies H6 and UD2, Core Strategy Policies CS 1 and CS 15, and Telford & Wrekin Local Plan (2031) Policies SP1, SP4 and BE1. These policies seek appropriate design quality which relates to its context whilst positively influencing the use and appearance of the local environment. The policy aims are consistent with the National Planning Policy Framework.
- 6.4 The relationship between any new housing and the TPO trees and the less established band of trees along the A518.
- 6.4.1 In response to the initial objection raised by the Council's Arboriculturist, the proposed layout was amended. A Tree Survey and Arboricultural Impact Assessment was also submitted to consider the impact of the proposals on adjacent trees.
- 6.4.2 Firstly dealing with the western belt, the concerns of the Council's Arboriculturist in respect of shading are noted. However, the repositioned plots ensure that more than adequate separation is afforded between the trees and habitable rooms. Unlike the previous scheme, which had a run of

gardens only 5m long, these have been increased to at least 15m for plots 11-17, whilst Plot 10 is served by both a side and rear garden which affords improved amenity value for future residents, as the tree canopy would not be overbearing. It is likely that the sylvan setting would be attractive to potential occupiers, the applicant further suggesting that the mature trees on the western boundary provide privacy within their gardens, this itself would reduce the pressure to undertake substantial works on certain specimens. In addition, all properties have one aspect facing away from the tree belts.

- 6.4.3 In respect of the less established band of trees on the eastern boundary, which adjoins the A518, these are part of the adopted highway and as such the duty of care falls to TWC to manage the copse of trees. Plots 7 and 8 would have a garden length of some 18-21m, with a separation of at least 11m to the tree canopy. It is not therefore considered that the immediate outlook and overshadowing would be to the extent that would warrant pressure on the removal of the tree belt, particularly when this served as an effective screen of the A518. It is not therefore as if residents would prefer that view to the sylvan setting of the copse of trees.
- 6.4.4 Plot 9 has a closer relationship to the eastern boundary, having a garden between 8.5m to 12m long, and a separation of up to 7m to the tree canopy. The Arboriculturist has agreed to selective tree felling and pruning of trees, (mature species would not be affected by tree felling). There would undoubtedly be overshadowing of the garden, however, as noted by the Arboriculturist, from midday, light levels would improve. The house type selected would also improve the amenity for future occupiers. For example, on the ground floor, the dining room and kitchen would be open plan, and served by 2 windows, and the main sitting room is toward to the front of the property. This property is also served by a 'wrap around' garden area, south of the dwelling, which would aid future occupiers benefitting from improved lighting levels beyond midday.
- 6.4.5 Plot 6 has a 10.3m long garden which runs alongside the eastern tree belt, an amendment has seen this pulled further away from the canopy, and this property is served by an open plan ground floor room on the rear elevation. Given that lighting levels would improve from midday, it would be difficult to warrant removal of this plot.
- 6.4.6 In respect of both tree belts, the extent of shadowing would obviously be affected by the time of year, as solar altitude is seasonal dependent (i.e. high-angle in summer months / low-angle in winter). Furthermore, as these trees are deciduous species, the amount of solar penetration and immediate outlook would improve, even when the sun is at its lowest angle and potentially casts the greatest shadow.
- 6.4.7 The Arboriculturist also has confirmed that it is now TWC policy that trees will not be pruned or felled for casting shade. Additionally, shading is not a reason to prune trees which are subject to tree preservation orders.

6.4.8 Whilst not a determining factor, it is interesting to note, the even in close proximity to this site, there are already dwellings that are sited with garden areas abutting mature trees, for example, along Highfield and The Folly on the opposite side of the highway.

6.4.9 On balance it is considered that the development has been satisfactorily arranged so as to ensure that the ample amenity is afforded for future occupiers without compromising the long-term protection of the trees both on the eastern and western boundaries. Conditions are recommended to further protect trees during the construction process.

6.5 Residential amenity

6.5.1 The noise assessment submitted with the outline application considered noise from the adjoining A518. This recommended an acoustic barrier along the eastern boundary of the site to reduce external noise levels, together with suitable glazing on windows and well-designed vents in order to reduce internal noise levels within the properties. These measures are incorporated in the design of the scheme, in order to ensure that noise levels for occupants are within good practice guideline figures. The acoustic barrier will be 2.5 metres high. For maximum effect the barrier will run along the north and western boundaries of the site, and partly around the garden of Plot 10.

6.5.2 As noted in the previous outline planning application.

The indicative plan shows that new housing could be located in such a position whereby it would not have a significantly adverse impact on the privacy of the residents of The Knoll. This is because the TPO trees on the western edge of the site and beyond form a natural screen.

The western tree belt serves as natural screen between the siting of Plots 10-12 and The Knoll, a large detached property west of the application. However, even without this, the separation distance between these dwellings would be at least 32m, this ensures that no adverse impact upon their immediate outlook and privacy would arise.

6.5.3 Plot 17 would maintain a separation distance of some 33m to Chartley, which is directly opposite and 35m to 9 The Crescent, which is west of the site. A greater distance in excess of 40m is afforded with Highfield House which is north-west of the application site. In each of these cases, there is also ample tree/landscaping which provide a screening function. No harm upon the residential amenity of these neighbours would arise.

6.5.4 As detailed above, the proposed dwellings would be served by ample private amenity space.

6.5.6 Given the distances detailed above, the properties would not be unduly harmed by the position of the acoustic fence on the eastern boundary.

6.6 Highway matters (including drainage considerations)

- 6.6.1 A number of objections are raised in respect of the access, increased vehicular movements along The Dale, safety of pedestrians and risk of accidents at A518 junction. At outline stage, access was a matter for consideration, and consequently, Highway Authority did not object to the proposal on highway safety grounds.
- 6.6.2 Details have been submitted for condition 12 of the outline consent (TWC/2014/0415), showing full construction and design detail of the offsite Highway Works including widening of the carriageway along the site frontage to 5 metres and associated works. These have been approved by the Highway Authority.
- 6.6.2 The applicant has confirmed that the development would be served by an entirely private road beyond the access junction. This is largely due to the fact that Severn Trent Water would not adopt underground cellular tanks required for surface water discharge.
- 6.6.3 The Local Planning Authority have discharged drainage details submitted for conditions 9 and 10 of planning application imposed on the outline consent TWC/2014/0415. This seeks to provide a highway drainage soakaway. The applicant has confirmed that the future ownership and maintenance of the non-adoptable drainage will be a management company, financed by an annual maintenance charge from the purchasers of the properties. In addressing the discharge of conditions, the details of future ownership and maintenance of the non-adoptable drainage have been provided to our Drainage Officers.
- 6.6.4 To confirm, accompanying engineering drawings demonstrate how the development makes suitable provision for surface water drainage and foul drainage, and there are no objections raised by the Council's Drainage Engineers on the proposed
- 6.6.3 The applicant has received confirmation from Matt Whitfield in the Council's Strategic Waste Team, confirming that they will agree to bin collection on the private road.
- 6.6.4 Every property has sufficient parking space for at least 2 vehicles. This is largely in the form of a double length drive or a double width parking area, there are also garages available for certain plots. Plots 1-5 are served by a bank of parking spaces directly opposite, and are therefore conveniently located and well overlooked.
- 6.6.5 As shown on the outline application, a pedestrian footway will be provided up to the canopy of the oak tree growing beside the road. Whilst the remainder of the lane as far as the junction with The Crescent does not have a pedestrian footway, this is an existing situation, and therefore this would not be harmful to the pedestrian environment, furthermore it is a priority to retain the oak tree, which is covered by a Tree Preservation Order. The highway authority finds this element of the scheme acceptable.

6.6.7 The Highway Authority recommended conditions and requested S106 contributions towards highway improvements reflect the features of the site and additional traffic movements generated by the proposal are incorporated into the original outline approval.

6.6.8 It is concluded that there would be no conflict with saved Wrekin Local Plan Policies UD2 and H6, Core Strategy Policies CS 9 and CS 15, and emerging Telford & Wrekin Local Plan (2031) Policies BE1 and C3. These policies seek adequate access and car parking provision to new development which preserves highway safety. The policy aims are consistent with the National Planning Policy Framework.

6.7 Impacts on local infrastructure

6.7.1 The previous application secured the following S106 contributions;

- i) 6 Affordable housing units in the event of the development compromising of 17 dwellings
- ii) Highways works, to include off site highway infrastructure improvements - up to a maximum of £14,577;
- iii) Education infrastructure funds up to maximum of £37,599 within the vicinity of the application site.
- iv) A contribution towards off site play and recreation within the vicinity of the development of £10,200; and
- v) Provision of a Planning and Financial Monitoring contribution of £1,500.

6.7.2 The S106 contributions address the impacts that new family housing will add to pressure on local schools, highways and demand for public open space, and meet the council's requirements.

Other Matters

6.13 There are no additional concerns with regard to ecology and arboriculture as appropriate conditions subsist from the outline approval.

7.0 CONCLUSIONS

7.1 The development respects the character of the area without harming the amenity of adjoining neighbours or highway safety. The development has been satisfactorily arranged so as to ensure that the ample amenity is afforded for future occupiers without compromising the long-term protection of the trees both on the eastern and western boundaries. There are no ecological or other landscape objections to the proposal. Appropriate drainage controls have been agreed. The development is considered to be acceptable and compliant with local planning policy and the guidance contained within the National Planning Policy Framework.

8.0 RECOMMENDATION

8.1 RESERVED MATTERS GRANTED subject to the following conditions:

1. C074 – Tree protection
2. C077 – Hard landscaping implementation
3. C078 – Soft landscaping implementation
4. B126 – Management regime of communal open space.
5. C38 – Development in accordance with plans

Informatives

I34a – Conditions on outline planning consent

140 – Conditions

I43 - Reason for grant of RM