

TWC/2016/0594

Land adjacent & South of Breezes 8 & 11, Allscott, Telford, Shropshire  
Erection of 2No. bungalows and associated parking

**APPLICANT**

Mr & Mrs Peter Groves

**RECEIVED**

07/07/2016

**PARISH**

Wrockwardine

**WARD**

Wrockwardine

**OFFICER** Ian Lowe

**OBJECTIONS RECEIVED: Yes**

**THE APPLICATION INCLUDES A FINANCIAL CONTRIBUTION TOWARDS  
HIGHWAY JUNCTION IMPROVEMENTS**

**1. THE PROPOSAL**

- 1.1 This planning application seeks full planning consent for the erection of two bungalows on land adjacent & south of Breezes 8 & 11 in the village of Allscott.
- 1.2 The site area is 0.18ha and would contain two 3 bedroomed bungalows each with 3 parking spaces and private garden spaces of approximately 155sq.m to plot 1 and 185sq.m to plot 2.
- 1.3 Each bungalow would be similar in design and would be built to a traditional cottage style with gable end roof design, brick chimney to end elevation and brick details including soldier courses, brick corner quoins and dentil detail to eaves and verges. It is proposed to submit sample materials following approval.

**2. SITE AND SURROUNDINGS**

- 2.1 The rural settlement of Allscott is located approximately 1.5 miles west of the built up area of Telford and around 2.5 miles from Wellington. It is accessed off the B4394 Shawbirch Road to the south and Rushmoor Lane to the west with the majority of dwellings leading off Back Lane that connects these two main roads. Bus stops are located near to the entrance to the site close to the junction with Rushmoor Lane. Allscott is a modest settlement largely made up of detached residential dwellings of mixed architectural designs. The settlement provides examples of other infill dwellings and has varying plot sizes.

- 2.2 The application site comprises a previously undeveloped piece of land to the south east of the host dwellings of No. 8 and No.11. It is also located adjacent to the garden of Grade II Listed Building, No.7 Breezes (Tudor style cottage).
- 2.3 The site is currently accessed via an existing narrow driveway which runs between No.7 and 8. At the end of this driveway is an area currently used for the parking of vehicles and beyond this is a large grassed area. Vehicular access to No.8 is located to the east of the site via existing gates with brick piers. There is a large hardstanding area beyond the gates.
- 2.4 The rear garden boundaries of Briar and Four Seasons are located to the east of the application site. These gardens are at a higher level with a 2m high close board fence panels set above gravel board and low level brick retaining wall along the boundary. This lowers to a 2m high fence along the remainder of the eastern boundary. The southern boundary adjoins a property known as The Garden House and is lined by a hedgerow.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 The applications listed below relate to a smaller site area (0.05ha) and where access was proposed in-between No.7 and 8. Each application was refused on similar grounds relating to overdevelopment of the site and insufficient access.
- 26/05/2015 - TWC/2015/0272 – Outline application for the erection of 1No. bungalow with all matters reserved – Outline Refused
  - 05/08/2003 - W2003/0686 - Outline Application for the Erection of Two Bungalows - Refused and Subsequent Appeal Dismissed
  - 25/09/1998 – W98/0724 – Outline Application for the Erection of Two Bungalows – Outline Refused
  - 14/10/1997 – W97/0673 – Outline Application for Erection of Two Detached Houses and Garage – Outline Refused

### **4. PLANNING POLICY CONTEXT**

- 4.1 National Planning Guidance:  
National Planning Policy Framework
- 4.2 Core Strategy:  
CS1 Homes  
CS7 Rural Area

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

4.3 Wrekin Local Plan:

UD2 Design Criteria

H9 Location of New Housing

H10 Scale of Development

4.4 Telford and Wrekin Local Plan (2011-2031 – Publication Version January 2016)

BE1 Design Criteria

BE4 Listed Buildings

SP1 Telford

SP4 Sustainable Development

HO10 Residential Development in the rural area

## **5. SUMMARY OF CONSULTATION RESPONSES**

### Standard Consultee Responses

5.1 Wrockwardine Parish Council: Object

The Parish object on grounds that the development would have an adverse impact upon the setting of the Grade II listed building (The Old Vicarage) and that the site would be overdevelopment and on grounds of restricted access.

5.2 Highways: Support subject to conditions:

The Officer confirms that they have no objection in principle subject to conditions and a section 106 agreement. They confirm that at the pre-application stage it was outlined that any development along Back Lane would lead to an intensification of use of the main junction which has substandard visibility; as such they would only be supportive of an application if highway improvements were made to Back Lane's junction with Rushmoor Lane, in order to improve the substandard visibility as you look left. The Officer therefore requests a Section 106 contribution of £35,000 towards the re-alignment of Back Lane's junction with Rushmoor Lane. A condition for parking, loading, unloading and turning is also requested.

5.3 Drainage: Support subject to conditions:

The Drainage Officer raises no objection subject to conditions requesting details of foul and surface water drainage including soakaway tests to be carried out with details submitted to the LPA. They also request a condition ensuring the development has provided written confirmation that any necessary off site drainage improvements have been completed by Severn Trent Water, or that there is no need for these to be provided to cater for foul

and surface water flows from the site following Severn Trent Water investigations.

- 5.4 Ecology: Support subject to conditions:  
An informative relating to nesting wild birds is requested.
- 5.5 Arboriculture: Comment  
The Officer notes that no details relating to the protection of trees and hedges have been submitted with the application.
- 5.6 Shropshire Fire Service: Standard Informative
- 5.7 West Mercia Police: Comment  
The applicant should aim to achieve the Secured by Design (SBD) award status for the development.

#### Neighbours Occupiers

- 5.8 Neighbouring occupiers have been consulted and one comment and one objection have been received.
- 5.9 The neighbour's comment raises concerns that it may be difficult for the development to drain the site sufficiently.
- 5.10 The objection relates to the use of the proposed access and that the amount of traffic would impact upon retaining walls along the boundary with Briar House. They also raise concerns that the site would be overdeveloped. They request if the application is approved that conditions are attached to ensure the wall is stable and to create a wider driveway at the access and wider visibility splays to the lane.

## **6. 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:
- The principle of residential development
  - Highways
  - Scale, design and impact upon neighbouring occupiers.
  - Impact upon adjacent Listed Building
  - Drainage

### **The principle of residential development**

- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. In this instance, Policy H9 of the Wrekin Local Plan lists a larger number of settlements (13) than the more recent and strategic Core Strategy Policy CS7 where new residential development is to be focussed on the three settlements of Tibberton, High Ercall and Waters Upton. In the countryside development is to be restricted and elsewhere strictly controlled. Policy H9 is less strategic and more subservient to Policy CS7 and is not heavily relied upon.
- 6.3 Paragraph 216 of the NPPF states that from the day of publication, decision-takers may give weight to relevant policies in emerging plans according to their status and consistency with the framework. As such, limited weight should be given to the emerging Telford and Wrekin Local Plan (2011-2031) which is currently at submission stage with a 5 day Examination in Public commencing on the 15<sup>th</sup> November 2016 and will ultimately replace the Core Strategy and existing Local Plan. Officers recognise that Policies H9 and CS7 will be replaced by emerging Policy HO10. This policy adds the settlements of Lilleshall and Edgmond to the list of settlements listed in CS7 but Allscott is not included although it is a material consideration that the British Sugar Factory site (reference TWC/2014/0113) has planning permission for a new community of 470 homes and community infrastructure.
- 6.4 As noted above, Policy CS7 seeks to focus development on the named settlements and suggests that in the countryside development is to be restricted and elsewhere strictly controlled. It is therefore compliant with the NPPF in that it does not provide blanket control on development within the rural area but seeks to direct it to areas which are considered to be more sustainable due to the services and facilities they offer.
- 6.5 The application proposes two, three bedroomed bungalows on a suitable infill plot within the village and as such, it does not propose an extension to the village or encroachment into open countryside. The village has a bus service to Wellington and other local villages (14 and WR2) which the s106 agreement on the larger British Sugar site will reinforce through the provision of an extended service and other local villages such as High Ercall which is listed as a suitable settlement (two services, twice daily); it is served by a local pub (the Plough Inn) and there is access to jobs (e.g. Allscott Park – business park) and services nearby such as the sports and social club and Sunnymead Kennels & Cattery less than a mile to the west. As such, Allscott has some sustainable credentials and development in this location may support services in the surrounding area. In addition to these existing services, Officers note

the outline approval for 470 dwellings inclusive of a village school, doctors, shop and improved sports facilities which will significantly alter the character of Allscott as a more sustainable location and the largest village in the rural area of the borough once implemented.

- 6.6 Given that previous applications have been refused for new dwellings in this location, albeit on a smaller site overall, it is necessary to consider whether this current scheme would bring any benefits which would outweigh the harm of allowing two additional dwellings in this location which is outside the suitable settlements listed within CS7. In this instance, the applicant has agreed to make a significant contribution towards junction improvements which Officers have considered in para's 6.8 to 6.11 below.

### **Highways**

- 6.7 Following refusal reasons on previous applications relating to the use of an inadequate access, the point of access has been revised for this application and it is now proposed to use an existing vehicular access to the rear of No.8. Notwithstanding the objections received from an adjacent occupier, the Highways Officer does not consider that there is any requirement to widen the access point to the proposed development. Furthermore, there is adequate space on the inside of the junction to allow cars to pass each other. The new access arrangement also improves upon the previous scheme in that it takes the access away from the listed building at No.7.
- 6.8 Notwithstanding the above, the Highways Officer has also advised that both junctions at the entrance to Back Lane are inadequate in respect of visibility. The Officer notes that currently there is only a visibility splay of 2.4m x 25m available as you look left from the junction of Back Lane. A 30mph speed limit, which is in place along that section of Rushmoor Lane, would require a visibility splay of 2.4m x 43m and as such the visibility at this junction is substandard in that one direction. To exacerbate this concern, the Highways Officer confirms that a speed survey was undertaken by the Traffic Management and Streetworks team in November 2013 along Rushmoor Lane, not far from its junction with Back Lane. Details of this survey have been provided and indicate that an 85<sup>th</sup> percentile speed for traffic travelling in both directions is 37mph and therefore above the speed limit of this road. On this basis, the Highways Officer is of the view that no further development should be supported on this section of Back Lane unless junction improvements could be provided.
- 6.9 Officers note that this junction between Rushmoor Lane and Back Lane is well used by the residents of Allscott as this area is the most densely populated section of the road. Rushmoor Lane is also well used by traffic heading

towards Longdon and onwards towards High Ercall. As such, an opportunity to improve this junction and to provide adequate visibility would be of significant benefit to the highway safety of residents of Back Lane that use this junction on a daily basis.

- 6.10 The Highways Officer has confirmed that the quote for improvement works to the nearest junction with Rushmoor Lane is £35,000 and would include the realignment of the junction, ensuring the 6m carriageway width is maintained and works to relocate a drainage gully and kerbing. The applicant has confirmed that they would agree to fund these works through a S.106 agreement in support of the application. The previous refused application for a single dwelling was not subject to a S.106 for junction improvements.
- 6.11 On this basis, officers have needed to consider if the junction improvements proposed in support of this development would have a wider community benefit that would outweigh policy objections related to the proposal; namely that Allscott is not listed as a suitable settlement within policy CS7 and to overcome reasons for refusal on previous applications. Officers are of the view that the highway safety of residents is extremely important and any opportunity to improve this road junction for the benefit of the local community and other road users should be considered as a material consideration. On the basis that this proposal is for two, three bedroomed bungalows in a settlement that is likely to grow substantially in time to come as a result of the grant of planning permission for up to 470 homes, and with minimal harm to the character and appearance of the rural area, the junction improvements that would come forward as part of this development outweigh any policy conflict.
- 6.12 Officers do not consider that supporting this development with such an agreement to fund highway works would set a precedent for similar development within the village. Any future applications for development within Allscott will be considered on their own individual merits.
- 6.13 In regards to the other highways related matters of parking and turning within the site, each property would be afforded 3 parking spaces with adequate turning areas to ensure vehicles can exit the site in forward gear. The existing dwelling, No.8 would also retain adequate parking space without any loss of parking area.

#### **Scale, design and impact upon neighbouring occupiers**

- 6.14 Previously refused applications were for outline consent and as such, the exact siting, layout and design of the dwellings were reserved for later consideration. As this application seeks full planning consent all these matters

can now be fully considered. Officers are satisfied that the scale and design of the proposed bungalows are acceptable. Properties within Allscott are varied in scale and design and as such there is no prevailing form to compare the proposed dwellings too. The proposed bungalows appear to be well designed with brick, chimney and eaves details that ensure they have some added character. The scale of the bungalows are also proportionate to the site and the single storey design ensures that they do not stand out as dominant properties within the street scene. Officers note that the previously refused applications related to a smaller site area with a different access point and indicated a different siting for the proposed dwelling(s); therefore it is not directly comparable. However Officers are of the view that it has now been demonstrated that two suitably sized dwellings can fit comfortably on this site without any adverse impact upon the surrounding area.

- 6.15 There would be a minimum distance of at least 5m between proposed windowed elevations and neighbouring private amenity space. This ensures that there would be no adverse overlooking of neighbouring private gardens. This impact is lessened due to properties to the east (Briar and Four Seasons) being at a higher level. Furthermore, the gardens sizes (see Para 1.2) that are afforded to each plot are adequate and proportionate to the size and type of dwellings proposed.
- 6.16 There are no habitable room windows in neighbouring dwellings that would be affected by this proposal and as such there would be no adverse loss of light or loss of privacy.
- 6.17 Given the need to ensure neighbouring occupiers are not adversely affected by additional development post construction, permitted development rights can be removed for the addition of extensions, boundary treatments (not in accordance with approved plan) and the addition of dormer windows/roof lights.
- 6.18 Officers note the concerns raised in regards to boundary treatment and changes in level with the gardens of Briar House and Four Seasons to the east. Plans indicate that this boundary treatment is to be retained and whilst it is noted that increased traffic would go past this boundary, this would be at low speed and there is no reason why this should impact upon the stability of a concrete and timber fence, some of which is built above a brick built retaining wall. Officers appreciate that there will be some construction traffic; however, this will be a short term impact whilst the properties are being built.
- 6.19 As such the development complies with policies UD2 of the Wrekin Local Plan, CS15 of the Core Strategy and BE1 of the Submission Version of the Local Plan.

### **Impact upon Adjacent Listed Building**

- 6.20 The proposed development would back on the private garden of No. 7 which is a Grade II listed property. Officers are of the view that there would be no direct impact upon the setting of the listing building which has a more prominent impact upon the street frontage. It is noted that previous applications for development in this location have not been refused on grounds of the impact upon this listed building.
- 6.21 The proposal would not conflict with policies CS14 or BE4 because the scale and appearance of the proposed bungalows would either be dominant or try to compete with the character and setting of the nearby listed building. The relationship between the dwellings would not be visible from the public realm.

### **Drainage**

- 6.22 Concerns raised by a neighbouring occupier about drainage in the locality are noted. The Drainage Officer has raised no objections to the proposed development but has asked for a scheme for both foul and surface water soakaways to be submitted prior to the commencement of development. This will ensure the method of drainage is appropriate to the site and will lower the risk of flooding.
- 6.23 In addition to the above, a condition can also be attached to the decision requesting written confirmation to the Local Planning Authority that any necessary off site drainage improvements have been completed by Severn Trent Water, or that there is no need for these to be provided to cater for foul and surface water flows from the site following Severn Trent Water investigations.

### **Developer Contributions**

- 6.24 It has been demonstrated that without junction improvements as outlined by the Highways Officer, additional development along Back Lane could not be supported as this would intensify the use of a junction with inadequate visibility. In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied (in addition to saved Wrekin Local Plan Policy T22) to ensure that the application is treated on its own merits:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.

- 6.25 In addition account has to be taken of the changes to the CIL Regulations in April 2015 that now restrict the “pooling” of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that the financial contribution set out above meets the relevant tests.
- 6.26 The financial contributions will be secured through a S106 Agreement that will be signed prior to the issuing of the decision.

## 7. CONCLUSIONS

- 7.1 Although the application would not normally be supported as it would be deemed contrary to Core Strategy policy CS7, in that it does not list Allscott as a village suitable for development in the rural area, officers have to take into account the fact that Allscott will, with time, become a substantially larger village. This modest proposal will make a contribution to supporting the village and its facilities through the submission of a significant contribution towards highway junction improvements which will be of benefit to both the proposed development and the wider community. This contribution ensures that it is an example of limited development that can be supported within the rural area and would outweigh any policy conflict.
- 7.2 Officers consider that the scale, design and layout of the proposed development are acceptable and would not harm the character and appearance of the surrounding area. The development does not represent an extension to the village nor would it encroach into open countryside. Furthermore, the development would not have any adverse impact upon the amenities of neighbouring occupiers. The proposed application therefore complies with the policies outlined above including national guidance contained within the NPPF.

## 8. RECOMMENDATION

- 8.1 Based on the conclusions above, it is recommended that the Committee **GRANT DELEGATED AUTHORITY** to the Development Management Service Delivery Manager to **GRANT FULL 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) A contribution of £35,000 towards highways improvements (to be spent specifically on junction improvements between Back Lane and Rushmoor Lane, Allscott)
- B) The following conditions:

1. A04 Time Limit
2. B11 Sample Materials
3. B61 Foul and Surface Water Details
4. B79 Severn Trent Works
5. C13 Highways Parking and Turning Implementation
6. C74 Trees - Protection of Retained Trees
7. C38 Development in Accordance with Deposited Plans
8. D01 Removal of Permitted Development rights for extensions,  
boundary treatments and dormer windows

#### Informatives

1. I32 Fire Authority
  2. I35 Ecology Informatives
  3. I40 Conditions
  4. I44 Reasons for Outline Grant
- RANPPF1 Approval