

TWC/2016/0668

Site of 14 The Rookery, Madeley, Telford, Shropshire
Erection of 1no. detached dwelling to provide 2no. bedroom apartments with
associated car parking and landscaping ****AMENDED PLANS AND RED LINE
PLAN RECIEVED****

APPLICANT

Micheron

RECEIVED

23/09/2016

PARISH

Madeley

WARD

Madeley and Sutton Hill

OFFICER Kirsty Johnson

**CLLR PAUL WATLING HAS REQUESTED THE APPLICATION IS CONSIDERED
BY MEMBERS OF PLANNING COMMITTEE**

1. THE PROPOSAL

- 1.1 This full planning application seeks permission for the erection of one building to provide 2no. two bedroom apartments within the garden of 14 The Rookery in Madeley. The proposed building will be two storey with a sloping roof to the rear with the first floor being within the roof section, with an overall height of 8.2m. The eaves on the roadside elevation will be typical height of two storey dwelling at 5m, whilst the rear elevation eave height will be 3.7m. Two small rooflights to serve a living room are proposed in the rear roof slope.
- 1.2 To accommodate the apartments, the proposal includes the demolition of an existing single storey side extension to no. 14 that currently is used as a kitchen. This property will have internal alterations to accommodate the kitchen elsewhere at ground floor of the property. No. 14 is currently a five bedroom HMO and the intention of this application will see the dwelling return back to a conventional three bedroom dwelling. Officers are satisfied that the internal alterations, associated demolition and change in use of the property will provide an enhancement to the current set up, and with the intensity of the use within this dwelling reduced.
- 1.3 The access to the property will utilise an existing access point used for 12 The Rookery which leads from The Rookery, and which is not adopted. The block plan shows the properties will benefit from shared garden amenity and parking with the ability to turn within the redline boundary.
- 1.4 Within the application process two sets of amended plans were provided. The first amendment consisted of the proposal changing from a conventional two storey property to provide a sloping roof and no habitable windows at first floor to the rear to reduce any overbearing impact on the residents to the rear of the property. The second set of amendments saw the proposed property

brought forward towards Rookery Road in line with the existing dwelling to provide an improved distance separation between the proposed property and no. 24 Station Road. In addition, the amendments also see the removal of a habitable first floor window in the side elevation facing 'Cheralyn' and the installation of roof lights within the rear roof slope which will be obscured glazed.

2. SITE AND SURROUNDINGS

- 2.1 The application site measures 0.037ha and is situated within the urban area of Telford in Madeley at the end of a residential cul-de-sac. The Rookery is accessed from Tynsley Terrace and is approximately 200m from the top of Madeley High Street. The pattern of development along The Rookery consists of semi-detached properties with varied plot sizes and there is allocated parking to the north of the application for some of the residents of The Rookery. The properties within the locality are brick built with a tiled gable pitched roof, Upvc windows, central chimney and flat roof canopies and flat roof single storey side additions. This is a predominately residential area.
- 2.2 This area of land is the side garden associated with 14 The Rookery. The site is enclosed with a low level boundary wall and trees and hedgerows along the side boundary. There are no habitable windows in the side wall of No. 14 The Rookery. Opposite to the application site is a pair of semis 15 & 16 The Rookery.
- 2.3 To the rear of the application site are two semi-detached properties 25 & 24 Station Road. These are two storey properties sitting at a lower level to the application site. To the south of the application site is the garden associated with the 'Cheralyn' situated off Station Road.

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history

4. PLANNING POLICY CONTEXT

- 4.1 Madeley Neighbourhood Development Plan
 - H7 Windfall and Infill Housing Development
 - H9 Inclusive Housing Standards,
 - LC6 Local Distinctiveness
- 4.1.1 Core Strategy:
 - CS1 Homes
 - CS5 District & Local Centres
 - CS15 Urban Design
- 4.1.2 Wrekin Local Plan:
 - UD2 Design Criteria

H6 Windfall sites in Telford & Newport

4.1.3 Telford & Wrekin Local Plan (Submission Version)

SP1 Telford

SP4 Presumption in favour of sustainable development

HO2 Housing site allocations

BE1 Design criteria

4.2 National Planning Guidance:

National Planning Policy Framework

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

5.1 Madeley Town Council: Object – issues of overdevelopment, reducing the amenity of occupiers and neighbours' properties and access to properties. Development in close proximity to Character Areas (High Street Madeley) should be sensitive and sympathetic to the prevailing local character. Proposal involves substantial changes to no. 14; Access needs to be established as well as appropriate parking and turning. No comments were received following amended plans.

5.2 Cllr Paul Watling, Ward Member: Objection – inappropriate location, narrow pathway leading to property is not a road, no road access to property, impact on pedestrians, inadequate space for loading, turning and parking, issue of ownership disputes, issues of loss of privacy, drainage and insufficient parking.

5.3 Highways: Comment – no objection to the proposal subject to appropriate parking and turning provided.

5.4 Drainage: Support subject to conditions – details of foul and surface water drainage and soakaway tests.

5.5 Shropshire Fire Service: Comment – Recommend Standard Informative (Fire Safety)

5.6 Shropshire council: No comment

Neighbour consultation responses

5.7 Following consultation with nine residents, 18 letters have been received raising the following concerns:

- The access to the site is not by road but is by a footpath
- Loss of light/overshadowing
- Loss of privacy/overlooking
- Inadequate parking/turning/loading provided – increase in traffic
- Noise and disturbance associated with use

- Issues of overdevelopment
- Development would be out of character
- Inadequate drainage system
- Loss of green space and impact on wildlife
- Loss of trees

6. 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
 - Impact on the character and appearance of the area
 - Impact on the living conditions of neighbours
 - Highways and drainage
 - Ecology and Trees

Principle of development

- 6.3 The site is within the urban area of Telford where residential development exists and where residential development is acceptable providing the proposal complies with local and national policies.
- 6.4 The National Planning Policy Framework (NPPF) advises that there will be a presumption in favour of sustainable development. Policy H6 of the Local Plan states that housing development will be permitted on land under 0.4 hectare 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. In principle therefore, officers have no objection to the application subject to the consideration of these matters.

Impact on the character and appearance of the area

- 6.5 The application proposes a two storey building which from the frontage will have an appearance of a conventional two storey dwelling while the eaves of the rear of the property will drop by 1.3m to one and a half storey. The building will sit 0.6m below the ridgeline of the existing dwelling. The dwelling will front

the access point on Rookery Road and will be set back 8m to follow the existing building line and to allow adequate access, turning and on-site car parking for the proposed development and existing dwelling. The layout proposed demonstrates that the building can be accommodated in this location with a proportionate sized building. Although the proposed building does not follow the prevailing house design, the width of the properties will be of a similar width of the existing dwellings and the roof type, window detailing and proportion will respect and relate to the surrounding character. Moreover, the siting of the dwelling as an end plot in a less prominent location allows for further flexibility in the form and design of the property.

6.6 Garden space associated with apartments is generally less than that of a conventional dwelling and in this instance, the application is intended to provide shared amenity for both properties with a garden length of 10m and a functional garden area of 120m². Officers are satisfied that the size of the dwelling and its siting within the plot is appropriate and would not cause harm to the character of the area. With this in mind it is considered that the proposal would sit comfortably when viewed within the context of the neighbouring properties and wider area and whilst it will be visible from Station Road it will be read as back drop and the sloping roof reduces the mass and scale. It is therefore considered that the layout, scale and appearance of the proposal are acceptable in accordance with policies CS15 of the Core Strategy, UD2 of the Local Plan and BE1 of the Telford & Wrekin Local Plan.

6.7 Impact on the living conditions of neighbours

6.8 There are a number of dwellings within close proximity to the application site. The applicant owns no. 14 The Rookery, but there are no habitable windows in the side wall of the property to be affected by the new building. The proposed building will not come forward of the rear elevation of no. 14 and with the sloping roof design there will be no issues of overlooking, loss of privacy or loss of light and sufficient amount of garden space will be retained. The demolition of the single storey side projection will not affect the functionality of this dwelling.

6.9 To the rear of the application site is 24 Station Road. The proposed building will be 7.4m from the boundary and will have a back to back distance of 13m. The apartments will be 11m from the boundary of no. 25 and a back to back distance of 14.8m. Whilst these distances are shorter than ordinarily expected, the design of the rear of the property with its low sloping roof, low eaves and two obscure glazed roof lights within the rear roof slope will not cause any significant overlooking or loss of privacy to warrant refusal. As nos. 24 & 25 Station road are tight to their rear boundaries, with most of their private garden area to the front, there is again limited opportunities for overlooking, even with the difference in ground levels. In addition, the sloping

roof reduces the bulk and massing of the property and any overbearing impact the development would have on these properties. Whilst officers have considered whether the rooflight windows could be non-opening, the use of the rooms would require ventilation and therefore in this instance it would be unreasonable and unpractical to condition this. However, to protect the future privacy of No.24 a condition can be imposed to remove the permitted development right to insert additional windows within this roofslope and elevation.

- 6.10 Opposite the application site is no. 15 The Rookery. The proposed building will be 10m from the boundary of this property and 20m from the rear wall of no. 15. This is sufficient distance separation and there are no issues of overlooking. Furthermore, the orientation of the properties and the oblique view means any potential overlooking will be insignificant. The development will not have an overbearing impact on the residents in this property.
- 6.11 'Cheralyn' is located to the south of the application site and the proposed apartment building will be 7.4m from the boundary of this property at the closest point. The proposal has removed any windows within the side elevation facing the garden of this property, and again the orientation of the properties with no direct views from the new windows will ensure there is no significant overlooking. The development will not have an overbearing impact on the residents in this property.
- 6.12 Taking the above into consideration, the application satisfies the requirements of WLP proposal H6 in that it will not have adverse impact on the local environment, especially in its relationship to adjacent land uses as well as the guidance found within the National Planning Policy Framework.
- 6.13 Highways and drainage
- 6.14 The proposed access to the development is via an existing private driveway off The Rookery cul du sac turning head; this route is currently used as a private driveway to residents. Whilst a number of the objections relate to whether the access to the site is appropriate, the application has been considered by Highways Officers and they have raised no objection to the access or parking arrangement subject to a condition requiring the parking areas shown on the plan is provided and properly laid out. In addition the development will not impact on the adopted highway. Accordingly, officers have no issue with the application in this respect. Similarly, the Council's Drainage Engineers support the application subject to a condition requiring a scheme of foul and surface water to be submitted for approval together with the results and locations of the proposed soakaways.

6.15 Other Matters

Whilst it is acknowledged that there could be some disruption during the construction period it is not considered that this would be a justifiable reason to refuse the application as most development involves some degree of noise and disturbance. Other comments have been raised with regards to the loss of green space, however the proposal involves the loss of private garden area - not public open space - and adequate amenity space remains for both the existing dwelling and new property. Concerns have also been raised with regards to the loss of trees - these are not protected and officers do not consider that their retention is a crucial factor of the suitability of the scheme.

7 CONCLUSIONS

7.1 The siting, design and appearance of the apartments are considered to be appropriate and would respect the context and character of the area. Officers are satisfied that the amended application has addressed concerns raised with regards to any overbearing impact and overlooking the development would have on residents. The design and scale of the proposal is acceptable and will not result in overdevelopment of the site with sufficient garden space retained and an acceptable relationship with neighbouring properties.

7.2 Whilst majority of the objections relate to the suitability of the access to the site, the application has demonstrated that the site can be adequately accessed with sufficient parking provided and the ability to turn within the site boundary allowing potential occupiers to exist the site in a forward gear. The site can also be adequately drained. The application is therefore in accordance with national policy guidance and Policies H7, H9 & LC6 of the Madeley Neighbourhood Development Plan, CS1 and CS15 of the Core Strategy, UD2 and H6 of the Wrekin Local Plan and SP4 and BE1 of the Telford & Wrekin Local Plan as well as the guidance within the National Planning Policy Framework.

8.0 RECOMMENDATION

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

Conditions

- A04 Time limit
- B010 Details of materials
- B061 Scheme of foul and surface water drainage
- B064 Soakaway test results and locations
- B121 Landscaping Design (including location of bin stores)
- C013 Parking and Turning

C074 Tree and Hedgerow Protection
C38 Development in accordance with plan Nos.
D08 Windows Obscure Glazing

Informatives

I32 Fire Authority
I40 Conditions
I41 Reasons for Grant of Permission
RANPPF1 – Approval NPPF