

TWC/2016/0769

Site of Clifton Cottage, Hillside Road, Ketley Bank, Telford, Shropshire
Outline application for the erection of 1no. detached dormer bungalow with
associated access with appearance and landscaping matters reserved
****AMENDED DESCRIPTION AND PLANS RECIEVED****

APPLICANT

Brian Jones

RECEIVED

27/09/2016

PARISH

Oakengates

WARD

Oakengates and Ketley Bank

OFFICER Kirsty Johnson

**OAKENGATES TOWN COUNCIL HAS REQUESTED THE APPLICATION IS
CONSIDERED BY MEMBERS OF COMMITTEE**

1. THE PROPOSAL

- 1.1 This application seeks outline planning consent for the erection of a dwelling 1no. detached dwelling at Clifton Cottage, Hillside Road, Ketley Bank. The application follows a refusal within the garden of Clifton Cottage, the application was refused on impact on neighbouring properties, inadequate plot size and insufficient parking and turning. The application has been submitted to look to address these concerns.
- 1.2 Originally, the application was for the principle of development with all matters reserved. Within the application further matters were included at the request of Officers to allow the Council to consider including access, layout and scale.
- 1.3 The amended and additional information resulted in a change to the redline boundary of the application to provide additional garden space and parking to proposed dwelling and to include visibility splay. Following neighbour objection the proposal now includes the widening of Mount Pleasant along the boundary of the application site. The scale of the proposed dwelling shows the maximum height to be 7.1m and as a dormer bungalow, 5.94m wide and a length of 7.88m. The layout suggested the proposed development would provide a modest three bedroom dwelling.

2. SITE AND SURROUNDINGS

- 2.1 The application site currently forms part of the rear garden of Clifton Cottage, a detached two-storey dwelling. The garden area associated with that property slopes down to the East and the appearance of the application site reflects its current use as garden land.
- 2.2 The surrounding area is residential in nature and due to the ad-hoc nature of the siting of a number of neighbouring dwellings, and the narrow width of Mount

Pleasant, a number of dwellings are located in close proximity to one another with no defined building lines.

- 2.3 Nos. 15 to 17 Mount Pleasant form a small terrace of two-storey dwellings to the north of the site. Cartref and Nos.1 and 2 Vine Cottages are located to the East, beyond the access drive to Carmel that is located immediately to the South of the application site.
- 2.4 Carmel was erected in what was a larger garden area for Clifton Cottage (see Planning History below). There are a variety of dwelling types within the surrounding area that have been erected over a long period of time.
- 2.5 The site boundary, along Mount Pleasant, consists of stone wall with hedge above the proposal will see the removal of 22m of this boundary to widen the narrow road, the application seeks to replace this further in the site boundary.

3. RELEVANT PLANNING HISTORY

- 3.1 TWC/2014/1126: Outline application with all matters reserved for the erection of a detached dormer bungalow and creation of 2no. parking spaces: Site of Clifton Cottage, Hillside Road, Ketley Bank, Telford, Shropshire, Outline Refused, 04/02/2015.
- 3.2 W2000/0605: Erection of a single bungalow and new access on land adjacent to Clifton cottage, Hillside Road. Approved 01/11/2000.
- 3.3 W2000/0268: Demolition of existing single-storey rear extension and erection of a two-storey extension, conservatory, detached double garage and construction of new vehicular access. Approved 08/06/2000.
- 3.4 PE/2012/0539: Erection of a detached bungalow and garage at Clifton Cottage. A response was provided stating that the principle of a modest dwelling would be acceptable subject to minimum separation distances (10m from habitable room windows and site boundaries and 21 metres between windows). The requirement for a turning facility to enable vehicles to leave the site in a forward gear was also set out. It should be noted that the site boundary and the size of the dwelling has substantially changed between the pre-application enquiry and the submission of this planning application.

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance:
National Planning Policy Framework
- 4.2 Core Strategy:
CS1 Homes
CS5 District & Local Centres
CS15 Urban Design

- 4.3 Wrekin Local Plan:
UD2 Design Criteria
H6 Windfall sites in Telford & Newport
- 4.4 Telford & Wrekin Local Plan (Publication Version)
SP1 Telford
SP4 Presumption in favour of sustainable development
HO2 Housing site allocations
BE1 Design criteria

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Oakengates Town Council: Object – previously objected to this application, despite slight changes to the plans unanimously agreed to object. No additional comments have been received since the additional information has been submitted and other matters to consider.
- 5.2 The Coal Authority: Comment – Material consideration site falls within a Development High Risk Area application has a Cal Mining Risk Assessment. A condition should be applied to ensure that any remedial works are undertaken prior to commencement of the development
- 5.3 Drainage: Support Subject to foul drainage, surface water drainage has been submitted and a soakaway test has been carried out.
- 5.4 Highways: Comment – no objection to the proposal subject to appropriate visibility splays provided and details for the parking turning and loading is provided.
- 5.5 Shropshire Fire Service: No comment

Neighbour consultation responses

- 5.6 Following two rounds of consultation objections have been received from residents.
- 5.7 15 neighbours have made comments to the application and their material comments are summarised below:
- Concerns raised with consultation – Green notice not displayed
 - Inaccurate block plan showing “pull ins”
 - Access and highway issues - Narrow access road to the site, difficulty manoeuvring , increase of traffic on the adopted highway
 - Drainage issues known within the area
 - removal of trees providing inappropriate outlook
 - Overdevelopment
 - Overlooking and loss of privacy and inappropriate distance separations
 - Dormer bungalows are out of character
 - Hedgerow removal may impact on wildlife

- Construction management plan should be considered
- Application has not addressed concerns or reason for refusal on last application TWC/2014/1126
- Overhead cable run across site.
- Proposal is not policy compliant

5.8 A petition has also been received signed by 21 residents. At the time of preparation of this report the re-consultation period had not expired, the expiry is 26th October 2016 an update will be provided to members if further comments are received.

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, drainage and coal mining

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, and being mindful of the recent approval for a dwelling on the site, 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 is for outline consent with some matters reserved. The details provided show the dwelling is a low level dormer bungalow with a modest footprint of approximately 45m². The proposed dwelling would have a one and a half storey height with the first floor being within the roof section measuring 7m to the ridge. The dwelling will be set back 6.6m from the existing road and will follow the existing building line. The layout proposed demonstrates that a dwelling can be accommodated within this location with a proportionate sized dwelling situated 17.3m from Cartref to the east and 15.2m to Clifton Cottage (11.2m from conservatory) and 14m from Carmel. The property would benefit from approximately 70m² private functional garden area with a garden depth of up to 12m. Furthermore, Mount Pleasant is essentially characterised by a loose and ad-hoc layout of development with a wide variety of single and two storey dwellings. As Mount Pleasant does not have a prevailing plot size this allows for appropriate infill development. There are no other ancillary buildings proposed as part of the development. 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.

6.6 Officers consider the application has addressed the reason for refusal relating to the inadequate plot size by amending the redline boundary of the proposal significantly following the full depth of the Clifton Cottage and as a wider plot. The plot size has changes from 250m² to 335m² increasing the site area by over 30%. Whilst the proposal has resulted in the further loss of garden space associated with Clifton Cottage, Officers are satisfied that an appropriate amount of garden space is retained. With this in mind, it is considered that the proposal would now sit comfortably when viewed within the context of the neighbouring properties and wider area. 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.

Impact on the living conditions of neighbours

6.7 There are a number of dwellings within the close proximity to the application site. The applicant owns Clifton cottage that is located to the west of the site and there are a number of windows in the rear of that dwelling, in addition to a conservatory that has been erected to the rear. Officers consider the orientation of Clifton cottage and the proposed new dwelling combined with a 15m distance separation limits issues of overlooking and the low level scale of the dwelling at 7m ensures the development will not be imposing on this neighbour.

6.8 Carmel is located to the South of the site and this property was erected following the sub-division of the garden at Clifton Cottage following the grant of planning permission for a bungalow in 2000. A distance of 15m can be provided and although this is shorter than the previous scheme (18m) the orientation of

Carmel and the proposed dwelling would not result in any issues of overlooking. There are no habitable windows in the side elevation of Carmel that would cause overlooking to the potential occupiers of the site.

- 6.9 Cartref is located to the East of the site and is set at a lower ground level than the application site. A distance separation of 17m between the proposed dwelling and Cartref is again considered to be sufficient to protect amenity subject to the design and internal arrangement of the proposed dwelling. This is consistent with the considerations within TWC/2014/1126, the distance separation has increased by 1m.
- 6.10 The proposed dwelling will be set back 13.5m from the adjacent terraced properties 15, 17, 16 Mount Pleasant and 20m from 18 Mount Pleasant. This is considered to provide an appropriate distance separation to ensure the development will not be imposing on these residents. The distance separation has more than doubled from the 6m from the application TWC/2014/1126 and therefore has addressed this reason for refusal.
- 6.11 Taking the above in to 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.

Highways, drainage and coal mining

- 6.12 The proposed development can be readily accessed and adequate on-site car parking will be provided. Although majority of the objections relate to the width of the road and ability to park within the application site, the Council's Highways Officers are satisfied that the site can be adequately accessed and sufficient parking has been provide with the ability to turn within the site boundary. The application has included access as one of the matters for consideration and in light of the objections received the applicant has gone above and beyond the expectations with this application and has included widening the road immediately in front of the redline boundary of the application to address residents' concerns. Highways officers are in support of the application, raising no objection to the access or parking arrangement subject to a condition requiring the parking areas shown on the plan is provided.
- 6.13 Officers are satisfied that the application has addressed the third reason for refusal with appropriate parking and turning provided to allow vehicles to enter and leave in a forward gear.
- 6.14 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. The site is in an area designated as High Risk for Coal Mining, the report provided

recommends that an intrusive site investigation should be undertaken. The Coal authority considers the development should be carried out in accordance with The Coal Mining Risk Assessment provided and condition has been attached accordingly.

Other matters

- 6.15 Concerns have been raised with the consultation process, a site notice it is not a statutory publicity requirement for this type of planning application and there is no obligation for the applicant to display the 'Green Site Notice'. Furthermore, officers have consulted 11 neighbours adjacent to the application site. Other neighbours have been notified by residents that have received the notification letter and have subsequently made comments on the application.
- 6.16 The majority of the objections relate to the concerns that the reasons for refusal still stand, officers have demonstrated throughout the report how the proposal has addressed this and the proposal therefore accords with local and national planning policy.
- 6.17 Other matters such as a loss of view and a reduction in property value are not material planning considerations and 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, however, a construction management plan can be conditioned.

7. CONCLUSIONS

- 7.1 Officers are satisfied that the application has addressed all three reasons for refusal associated with application TWC/2014/1126. The layout and scale of the dwelling is considered to be appropriate and would respect the context and character of the area. The proposal would also have an acceptable relationship with neighbouring properties and have sufficient parking and garden space.
- 7.2 Matters relating to appearance and landscaping are left for Reserved Matters. The application has demonstrated that the site in principle can be adequately drained, accessed and issues of coal mining can be addressed. The application is therefore in accordance with national policy guidance and Policies 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

1. A01 Time Limit - Outline
2. B002 Standard Outline –Some Matters Reserved
3. B010 Details of materials
4. B041 Visibility Splays
5. B042 Parking, turning loading and unloading
6. B046 Construction Management
7. B061 Scheme of foul and surface water drainage
8. B064 Soakaway test results and locations
9. Bcustom Site investigation Coal Authority
10. B120 Details of enclosure
11. C38 Development in accordance with plan Nos.

Informatives

- I40 Conditions
- I41 Reasons for Grant of Permission
- RANPPF1 – Approval NPPF