

TWC/2017/0643

Land to the North of Haygate Road, Wellington, Telford, Shropshire  
Reserved matters application for the erection of 289no. dwelling including details for  
appearance, landscaping, layout and scale pursuant to outline application  
TWC/2013/1033 **\*\*REVISED LAYOUT PLAN RECEIVED\*\***

**APPLICANT**

Bovis Homes Ltd, Anwyl Construction Co  
and Peter Holt

**RECEIVED**

17/08/2017

**PARISH**

Wellington, Wrockwardine

**WARD**

Haygate, Wrockwardine

**OFFICER** Steven Drury

**1.0 PROPOSAL**

- 1.1 This is a reserved matters application for the erection of 289 dwellings on land at Haygate Road, Wellington. The application is pursuant to outline planning permission reference TWC/2013/1033 which was granted on appeal on the 15<sup>th</sup> April 2016.
- 1.2 The application seeks approval of the four remaining reserved matters (scale, external appearance, layout and landscaping). The means of access to the site was approved as part of the outline application.
- 1.3 The proposal involves the provision of a mixture of 1, 2, 3, 4 and 5 bed properties located within 3 main character areas; Haygate Road Frontage, Main Street and The Park. The proposal includes the provision of large areas of green space located around the edge and within the centre of the site. A green buffer will be provided along the south west side of the site which will include the children's play areas. Vehicular access will be obtained from Haygate Road, linking to a circular distributor road which will loop around the site. The site layout follows the development masterplan approved as part of the outline permission and includes 25% affordable housing provision, to be provided on-site.
- 1.4 The application is submitted as a joint development to be carried out by two major housebuilders, Bovis Homes and Anwyl Homes, with Bovis providing 188 units and Anwyl providing 101 units.
- 1.5 The application is supported by the following documents: -
- Design and Access Statement
  - Noise Assessment
  - Arboricultural Assessment
  - Ecological Appraisal
  - Travel Plan

**2.0 SITE AND SURROUNDINGS**

- 2.1 The site area amounts to 15.2 hectares on the western edge of Wellington. It is situated to the north west side of Haygate Road, a principal arterial route

into Wellington from the A5/M54. The site is bound to the north by open countryside, to the west by Orleton Park and Wellington Cricket Club and to the east and south by the existing built up area of Wellington. Beyond the Cricket Club is the Holyhead Road/Haygate Road 'T' junction. Junction 7 of the M54 is located approximately 500 m from the junction of Holyhead Road and Haygate Road.

- 2.2 The site predominantly comprises undulating farmland and contains a number of veteran and mature trees. It lies directly adjacent to the Historic Orleton Park, in which the cricket club is situated and close to the Grade II\* listed Orleton Hall, an 18th century mansion, which lies approximately 350 metres to the west. Residential development lies immediately adjacent the north west boundary where bungalows located along Woodlands Avenue back onto the boundary. Those properties are located between 1 and 2 metres lower than application site. Residential properties along Powder Lane and Haygate Road also abut parts of the site.
- 2.3 Two public right of ways are located within or adjacent to the site. The Shropshire Way runs along the north east side of the site and extends out across land to the north. A right of way also crosses the site on an east-west access, linking Orleton Hall with Powder Lane to the east.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 TWC/2013/1033 – Outline application for the erection of up to 330no. dwellings with associated landscaping, site access and public open space including access with all other matters reserved) – Refused 16/9/15 – Allowed on appeal 15/4/16 (approved with condition restricting number of units to 290)
- 3.2 TWC/2015/0364 - Twin track Outline application for the erection of up to 290 dwellings – Refused 5/1/2016
- 3.3 TWC/2017/0484 - Installation of a surface water drainage outfall – granted 25/08/2017
- 3.4 TWC/2017/1028 - Formation of a new access from Haygate Road for construction access during the construction period of the development – currently undetermined

### **4.0 PLANNING POLICY CONTEXT**

#### **4.1 National Guidance:**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

#### **4.2 Telford & Wrekin Local Plan (2011 – 2031)**

SP4 Presumption in favour of Sustainable Development  
NE1 Biodiversity and geodiversity  
NE2 Trees, Hedgerows and Woodlands  
NE4 Provision of Public Open Space  
NE5 Management and Maintenance of Open Space  
C4 Design of Roads and Streets

C5 Design of Parking  
B1 Design Criteria  
BE7 Parks and Gardens of Historic Interest  
ER12 Flood Risk Management

## **5.0 SUMMARY OF CONSULTATION RESPONSES**

### **5.1 Local Member/Parish and Town Council Comments**

#### **5.1.1 Cllr Jacqueline Seymour: Comment**

Raises concerns regarding the impact upon bungalows along Woodlands Avenue. Properties already experience drainage problems due to level differences and the proposal may disturb natural drainage along the boundary, causing new problems for existing residents.

5.1.2 Also concerns regarding overlooking although notes that some windows have been reduced and a landscaped buffer introduced following public consultation. Landscaped buffer should not be located within private gardens. Would also prefer to see properties along the boundary moved forward to increase the gap between Woodlands Avenue and to reduce ground disturbance.

5.1.3 Also commented on the proximity of the LEAP, NEAP and Ball Court to the cricket club and the requirement to provide suitable fencing along the boundary.

#### **5.1.4 Wrockwardine Parish Council: Comment**

- Concerns regarding inappropriate location of the recreational facilities too close to the adjacent cricket pitch
- Also felt that the location of the social housing was tucked away at the back of the site and less accessible to public transport

#### **5.1.5 Wellington Town Council: Object**

- Proposed development is outside the current Telford New Town boundaries, the land had not been identified within the Telford & Wrekin Core Strategy nor had the land been identified as a preferred development option within the Changing Places Consultation documentation.
- Traffic – the proposal if approved would lead to increased traffic and vehicle movements along Haygate Road
- Layout and Density – it was considered that the initial proposals of the provision of 289 houses on the proposed site were disproportionate and inappropriate for the area
- Historic Aspect – the proposed development land was considered to be prime agricultural land, which had been recognised by English Heritage
- Character of area – it was considered that the proposed development would change the look and feel of the locality

### **5.2 Standard consultation responses**

#### **5.2.1 Highways: Support subject to conditions**

Make no objection to the above proposals subject to a condition requiring further details of raised tables in the loop road. Confirm that amendments made to the proposed access and layout satisfactorily address the main points highlighted previously. Any outstanding matters of details can be addressed as part of the technical review of the scheme.

5.2.2 Urban Design: Support subject to conditions

Throughout this application, officers have been liaising with the applicants to improve the design aspects of this scheme and have successfully secured further improvements that have subsequently come forward. Whilst the improvements to those units along Haygate Road and those viewed beyond have been the focus for the most of these changes, there have been improvements across the board, albeit it is noted that local residents consider some parts of the scheme to be of “moderate” quality. Overall it is considered that the final set of changes that have been made are appropriate and are acceptable.

5.2.3 Drainage: Support subject to conditions

Whilst sufficient detail has not been submitted to discharge conditions attached to the outline approval in respect of drainage, officers are satisfied with the proposals for the boundary with Woodlands Avenue. However, the developer will need to provide details of how the buffer area will be accessed and maintained and further detail will need to be provided demonstrating that exceedance flows produced by the development (for events in excess of the 1 in 100 year event + climate change) will be directed towards appropriate areas of POS or highways and not towards any proposed or existing properties. This is particularly relevant to the parking areas and private drive along the north east boundary.

5.2.4 Environmental Heath (Contaminated Land): Support subject to conditions  
Request conditions added controlling construction hours

5.2.5 Ecology: Support subject to conditions

Has read the supporting documents and raises no objection subject to conditions requiring any tree removal to be carried out in accordance with the Reasonable Avoidance Measures statement submitted by FPCR (July 2017).

5.2.6 Healthy Spaces: Comment

Raises no objection but makes various comments on design of play areas, boundary planting and landscaping and the landscape management plan.

5.2.7 Trees: Comment

Notes a number of conflicts between trees, proposed housing, roads and paths where encroachment is shown into root protection zones. An updated tree protection plan is therefore required set against the current layout. Also requests an arboricultural method statement and appointment of arboricultural clerk of works to oversee implementation of the plan.

5.2.8 Built Heritage & Conservation: Comment

Considers the sense of space and connection with Orleton Park is sufficiently retained within the detailed scheme, such that the 'less than substantial harm' to the heritage asset would be negligible in the balance required under NPPF134.

5.2.9 Highways England: No objection

The principle of the development has been agreed in support of the outline planning application subject to several conditions, none of which related to the strategic road network.

5.2.10 Natural England: Comment

Natural England considers that the proposed development will not have significant adverse impacts on protected landscapes or designated sites and has no objection

5.2.11 West Mercia Police: Comment

Request that consideration is given to opportunities to design out crime within the development

5.2.12 Shropshire Fire Service: Comment

Request that consideration is given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

5.3 **Neighbour consultation responses**

5.3.1 A total of 45 comments have been received in response to various public consultations and reconsultations carried out during the determination period. A neighbourhood residents group, 'Haygate Fields Group' (HFG) has also been set up to provide a co-ordinated response to the development proposal. The group, which contains a number of residents with experience of the planning process within its ranks, has undergone close liaison with the planning department during the determination process. The comments provided by HFG are summarised as follows:-

5.3.2 Haygate Fields Group:

- Design:
  - Latest housetypes do represent an improvement but the development is at best of moderate design quality
  - Well below standards for other developments in Lawley, Lightmoor and Ketley
- Consistency of Plans:
  - Disappointed by quality of supporting documentation
  - Number of amended plans make application difficult to follow and concerns regarding consistency of information shown
  - Cannot expect Members to make decisions based on such poor documentation
  - Inconsistency between drainage and landscape proposals

- Woodlands Avenue Interface:
  - Genuine acute worries continue to exist
  - Break in slope between the site and Woodlands Avenue
  - Concerns regarding ground stability
  - Inadequate drainage proposals
  - Inadequacy of landscaping proposals
  - Loss of privacy
  - Lack of consistency between various plans and drawings.
- Surface Water Drainage:
  - No up to date details – initial plans superseded but no amendments
  - Concerns regarding surface water runoff and flooding of Woodlands Avenue properties
  - No details of the proposed ‘piped (positive) system
- Width of landscaped buffer - Inconsistent on plans
- Secure form of boundary treatment needs to be provided along the landscaped buffer
- No details on landscape management and maintenance

#### 5.3.3 Wellington Cricket Club:

Have also provided several representations with key point summarised as follows:

- Initially raised concerns regarding community safety and security
- Concerned that the location of the play area was to be sited in an area at risk from low flying cricket balls
- Also that appropriate fencing should be provided along the western boundary to provide security between the site and the cricket club.
- Also concerns regarding noise from events at cricket club such as cricket matches, social functions and annual fireworks night.
- However, following the submission of amended plans which showed the reconfiguration of the play areas including the provision of a 3 metre high fence along the side of the ball court and a 2 metre high secure boundary fence, WCC were reconsulted and welcomed the changes as a better all-round solution.

#### 5.3.4 Public Comments:

Key points received from local residents and members of the public are summarised as follows: -

- Concerns that proposal will overlook adjacent existing properties
- Concerns that the footpath along the SE boundary will access onto the secondary Haygate Road cul-de-sac
- Enough residential development already underway in Telford to meet demand
- Will negatively impact upon quality of life and health for local families and elderly residents
- Increase in traffic along Herbert Avenue and impact upon safety of children and elderly residents

- Lack of infrastructure to support development – services at Doctors surgeries and the local hospital are fully stretched
- Negative impacts upon local wildlife and ecology
- Boundary treatment requires clarification
- Introduction of play area and skate park adjacent the cricket pitch and historic park is completely alien to the landscape in the area
- Traffic survey is now outdated – further developments have since been built
- Traffic Calming along Haygate Road is required
- Concerns regarding the conditions of roads during construction process after similar problems on nearby sites
- Drainage provisions need to take account of pooling along the south east boundary adjacent ‘Greenacres’.
- No mention of the improvements to Haygate Road and the junctions at each end of Haygate road & Herbert Avenue.
- Only single storey houses should be built around the periphery of the estate. Two storey properties should be kept to the rear.

## **6.0 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:

- Principle of Development
- Design Issues
- Access and Highways Issues
- Impact upon Residential Amenity
- Trees and Landscaping
- Ecology Issues
- Drainage Issues
- Other Matters

### **6.2 Principle of Development**

6.2.1 Members will be aware that the principle of the residential development of the site has already been agreed through the granting of outline planning permission which was allowed on appeal on 15<sup>th</sup> April 2016 following a public inquiry and subsequent challenge in the High Court on 15<sup>th</sup> November 2016. That permission allowed a maximum of 290 dwellings with development to be in general accordance with the principles of an approved Development Framework Plan. This provided an indication of the site layout including the location of open space, children’s play areas and the points of vehicular and pedestrian access to the site. This reserved matters application now seeks to agree the outstanding details consisting of layout, scale, appearance and landscaping i.e. the ‘reserved matters’.

6.2.2 Several representations have been received questioning the location and suitability of the site for housing development and the ability of the highways network and local infrastructure to accommodate the development. These matters were considered during the outline application and subsequent public

inquiry and cannot be reconsidered as part of a reserved matters application. Only issues relating to the matters applied for can be considered under this application.

- 6.2.3 Notwithstanding the above, Members are reminded that the outline permission contained a S106 agreement which secured a number of financial contributions towards local infrastructure improvements including education, highways, sports pitches, traffic calming, bus stop provision, play area and open space provision.
- 6.2.4 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 Telford & Wrekin Local Plan (T&WLP) was presented to Full Council on the 11th January 2018 where it was resolved to adopt the plan. As such, the Telford & Wrekin Local Plan now forms the development plan and can be given full weight in the determination process. Saved policies within the Wrekin Local Plan and the Core Strategy are now superseded. The site now lies within the urban boundary on the Policies Map contained within the adopted plan.
- 6.2.5 A consideration of the relevant development plan policies will take place as applicable in the following sections.

### **6.3 Design Issues**

- 6.3.1 Layout: As required by Condition 5 of the outline approval, the proposed layout follows the principles of the Development Framework plan ref. 5644-L-03 rev N. Vehicular access will be obtained from Haygate Road and will connect with an internal distributor road which loops around the centre of the site. The development will be separated into three main character areas; Haygate Road Frontage, Main Street and The Park; each containing their own character and features.
- 6.3.2 As per the masterplan, an area of open space has been provided along the south west side of the site to provide a buffer between the site and the historic park and garden at Orleton Hall. The open space also contains the children's play areas comprising a play area, ball court and skate park, the siting and configuration of which has been amended to take into account the concerns of the adjacent Wellington Cricket Club. Areas of open space and SUDS features will be provided along the west site boundary and in the centre of the site where several veteran trees are located. The existing public right of way will be retained, running west-east across the site, linking Woodlands Avenue with Orleton Hall to the west via a specially designed 'green link'.
- 6.3.3 Scale: The development will comprise a mixture of 1, 2, 3, 4 and 5 bed properties provided in single, two storey and two and a half storey properties. Whilst the majority of properties will be two storey, a small number of two and a half storey properties will be provided, predominantly to be located in the centre and west of the site and eight bungalows will be provided along the north eastern boundary. The density of the development will be a maximum of

35 dwellings per hectare (dph). The scale and massing of the development is not dictated by individual character areas but is considered to represent a sensible approach to development on the site whereby taller properties are generally located within the centre and west of the site.

- 6.3.4 It is noted that representations have been received from residents along Haygate Road raising concerns regarding overlooking of properties as land levels rise into the centre of the site. However, those properties will be at least 23 metres from the eastern boundary, which is acceptable in planning terms, even before neighbours garden sizes are taken into account. The relationship with properties along the Woodlands Avenue boundary is more sensitive and will be discussed in more detail in Section 6.5.
- 6.3.5 As a whole, the density of development is considered to reflect the surrounding area although clearly there will be anomalies given the variety of property styles and sizes in the area. The plots within the Haygate Road Frontage Character Area are generally larger than the rest of the site in order to reflect the prevailing plot size and character of the area surrounding the site frontage. Higher density housing has been provided in the centre and rear of the site in areas which are less prominent and will have less of an impact upon the character of the surrounding area. The open space along the south west boundary provides an appropriate standoff between the development and Historic Park and Garden and no objection has been received from Historic England or the Council's Conservation Officer in this respect.
- 6.3.6 External Appearance: Officers have worked with the applicants in order to improve the design aspects of this scheme and whilst the improvements have largely focused on those units along Haygate Road and those viewed beyond, there have been improvements across the whole site. Changes made are intended to provide consistent approach to each character area with the same materials and features utilised by both developers. Previously both developers had proposed to use different materials palettes. Unsuitable materials such as red roof tiles and bricks have also been omitted from the scheme.
- 6.3.7 The Haygate Road Frontage area has been designed to replicate the detailing of properties found along Haygate Road and surrounding area. House types contain stone heads and sills, chimneys, thin black fascias with exposed rafter feet, porches and slate roof tiles, all intended to increase the design quality of the most prominent part of the development. This is a vital consideration given the significance of the site on a gateway route into Wellington and is now considered to achieve the required quality of design.
- 6.3.8 The less prominent character areas, Main Street and The Park Edge, have also been amended to improve their design quality. Main Street provides a role as a transition area between the Haygate frontage and the more informal Park Edge. As such, Main Street continues some of the elements of the Haygate frontage into the main part of the site but has been standardised to ensure that dwellings on both sides of the loop road contain the same or similar features and materials despite being built by different developers.

- 6.3.9 The Park Edge is a more informal area set back from the main loop road through the site. Previously this area was dominated by the same combinations of wall and roof materials which would have created a stark contrast between the development and the more open and green surroundings as well as undermining the intention to create a more informal and relaxed appearance. Consequently the red brick and red tile combination has been reduced and broken up by featuring more render as well as retaining more grey roof tiles units.
- 6.3.10 The proposal has been considered in detail by the Council's Urban Design Officer who is now satisfied with the proposed design which responds appropriately to the site's context, will respect the appearance of the Haygate Road street scene and will not be harmful to the character and appearance of the area. Accordingly, the proposal is considered to comply with T&WLP Policy BE1.

#### **6.4 Access and Highways Issues**

- 6.4.1 Whilst the outline consent approved the point of access into the site and indicated the general layout of the road network it is the role of this reserved matters application to provide the details of the highways layout. This has been provided following several discussions with the Council's Highways team and needs to adhere to strict criteria set out in Condition 11 attached to the outline permission. These requirements include the provision of a main carriageway width of 7.3m with footways either side, no direct frontage access onto Haygate Road and visibility splays of at least 2.4m by 43m. Highways Officers are satisfied that the proposed layout satisfies these requirements.
- 6.4.2 The highway layout takes the form of a looped distributor arrangement connected to Haygate Road via a connector road. A secondary network of roads, parking courts and private driveways are accessed off the loop road with a number of properties fronting directly onto the loop road itself. The main loop road will contain a number of raised tables to act as traffic calming measures and will also act as crossing aids at key pedestrian crossing points. The development has been 'tracked' to demonstrate that all roads can be accessed by the Council's refuse lorries. Each plot contains dedicated off-street parking, either to be provided in the form of parking courts or individual driveways and parking has been positioned to avoid dominating landscaped street scenes. The proposal contains a total of 741 parking spaces which more than meets the required parking standards (709) as set out within Appendix F to the Telford & Wrekin Local Plan.
- 6.4.3 Pedestrian connectivity continues to comply with the principles shown at the outline stage. The public right of way will continue to cross the site, linking Woodlands Avenue with Orleton Hall to the west, and footpath connections will also be provided in the north west corner, providing a link to the fields and OD Murphy playing field in that direction, and at the emergency access point onto West Road.
- 6.4.4 The Council's Highways Officers have assessed the proposal and are satisfied that it meets the necessary highways standards, providing safe,

convenient and appropriately designed walking, cycling and vehicle routes, good connectivity to surrounding areas and is designed to an adoptable standard. As a result, the proposal is considered to comply with T&WLP Policy C4 and C5 in terms of parking provision and road design.

- 6.4.5 Other matters: Whilst it is noted that some representations have been received raising concerns that traffic surveys carried out in support of the 2013 outline application are now out of date, the principle of the development and the ability of the highways network to accommodate 289 new homes has already been approved at outline stage and cannot be reconsidered as part of this reserved matters application.
- 6.4.6 The need for improvements to three key junctions was identified at the outline stage and a contribution of £410,720 has been secured through S106 agreement for these works. This included improvements to the Haygate Road/Holyhead Road. A number of representations have identified the need for these works to be carried out before the development is provided in order to avoid significant problems on the local highways network. The outline permission contains no specific trigger in terms of timescale for delivery of these works as they are to be carried out by the Council not the developer. Officers are advised that a scheme is currently being drawn up by the Council's Highways Network Management team and whilst no timescale for delivery has yet been agreed, the concerns of residents and the pressing need for delivery are noted. Officers will liaise with the developer in order to understand likely timescales for delivery of housing if this application is approved. Members are reminded, however, that this is a separate issue to be addressed by Council Highways Officers and does not form part of this reserved matters application. As such, it cannot be given weight in the determination of the application.

## **6.5 Impact upon Residential Amenity**

- 6.5.1 The siting of a large residential development at the edge of an urban area inevitably raises concerns over the impacts upon existing properties closest to the boundaries, however, the Inspector in allowing the appeal accepted the principle of housing on this site. In this instance, concerns have been raised by occupants of several properties along Haygate Road, Powder Lane and Woodlands Avenue regarding matters such as loss of privacy, loss of light, flooding and impacts upon land stability.
- 6.5.2 Haygate Road/Powder Lane: With regard to the properties along Haygate Road and Powder Lane, many of these properties are set within larger plots and therefore benefit from larger separation distances to the new dwellings which are generally acceptable in planning terms. More specifically, concerns raised by the owners of 'Croft House' and 'Greenacres' are noted regarding the impact from Plots A64, A65 and A69 which will face eastwards looking towards those neighbouring properties. The proposed dwellings will be situated between 22 and 25 metres from the boundary which is normally an acceptable separation distance in planning terms. In respect of 'Greenacres', whilst views of the front of the property will be possible, no overlooking of the private garden area to the rear of the property will be possible. 'Croft House' is

a newly built property which is not shown on the applicant's plans but has been considered in the determination process. A 2 metre high close boarded fence forms the boundary with the application site, having replaced the native hedgerow previously found along the boundary. Plot A69 will be at least 22 metres from the boundary and approximately 25 metres from the rear of 'Croft House'. Whilst there is little in the way of screening above the boundary fence, such separation distances and relationships are acceptable on planning grounds and would not be sufficient to justify a refusal on grounds of loss of privacy. Whilst the separation distance between 134 Haygate Road and Plot 1 is acceptable, it will be possible to restrict the addition of further windows in the side elevation through a suitably worded condition.

- 6.5.3 Woodlands Avenue: A significant number of representations have been received raising concerns regarding the potential impact upon the bungalows and their occupants along Woodlands Avenue to the north east of the site. Woodlands Avenue is set approximately 1.5m to 2m lower than the development site and is separated by an unsupported embankment. Concerns raised in this respect centre around four main issues; loss of privacy, loss of light, land stability and drainage issue.
- 6.5.4 In this part of the site, the application proposes a row of two storey properties running parallel with the north east boundary. Those units would run parallel to those bungalows along Woodlands Avenue with which they would have a 'back to back' relationship. Officers have worked with the developers to address the above concerns but are limited in terms of potential solutions given that this is the highest density part of the site with little scope to pull the properties further away from the boundary. Whilst the applicant contends that the proposed separation distances are sufficient, a landscaped buffer has been added along the boundary between Plots A34 to 119, as a means of softening the impact of the proposed dwellings. The landscaped buffer will be privately managed, will sit outside individual plots and will be securely fenced to avoid public access. This area will be set to grass and will be planted with ornamental fruit trees. This will act as an additional screen to the existing 1.8m (approx.) unmanaged hedgerow located along the boundary on top of the embankment.
- 6.5.5 Loss of Privacy/Overlooking: In an attempt to overcome the above concerns, Plots 115 to 119 and A32 to A34 have been provided as bungalows and Plots 102 to 106 and A35 to A38 have been rotated 90 degrees to sit sideways-on to the boundary. Officers are satisfied that the use of bungalows along this boundary is acceptable and will not result in the unacceptable overlooking of properties along Woodlands Avenue. Similarly, the plots that which have been turned 90 degrees will contain blank gable ends and a condition will restrict the future insertion of windows in the side elevations.
- 6.5.6 Plots 107 to 114 will be two storey and will sit 'back to back' with No's 8, 10, 12 and 14 Woodlands Avenue, separated by a distance of between 22 and 26 metres. The Council does not have any adopted policy or design guidance which set out the minimum requirements in terms of back to back separation distances, however, a number of other Councils do impose guidelines which

suggest that 22 metres is an acceptable separation distance on level ground. However, where there are significant variations in levels between developments, it suggested that appropriate allowances are made depending on the change in level concerned. Different Councils apply different rules here, but typically it is suggested that a level change of 2 metres would require an increased separation of 3-4 metres, although this should be taken as a guide and each case needs to be determined on its own merits.

- 6.5.7 In the case of the proposed development, it is considered that such a relationship, without mitigation falls just short of what would normally be considered acceptable. As a result, the applicant has agreed to the provision of a landscaped buffer as described in paragraph 6.5.4 above, and as an extra means of protection, has agreed that rear facing first floor windows in Plots 107 to 114 can be obscure glazed. This can be controlled by a suitably worded condition to ensure that such restrictions are adhered to.
- 6.5.8 Taking the above factors into consideration, on balance officers are prepared to accept the separation distances proposed on the understanding that the agreed mitigation measures i.e. the landscaping buffer and obscure glazing of first floor windows, are provided as a dual method of protection for adjacent residents. Suitably worded conditions would, however, need to be imposed requiring glazing restrictions to be adhered to at all times and the landscape buffer to be planted prior to occupation of the dwellings adjacent.
- 6.5.9 Loss of Light: As above, the Council do not have any design standards or guidelines relating to loss of light, however, where other Councils have imposed such standards, separation distances of 12.5 metres have typically been quoted as acceptable, increased to 15.5 metres where a three storey blank gable is proposed. In the case of the proposed development, the shortest separation distances will be between Plots 106 and A35 and No's 16, 18 and 20 Woodlands Avenue respectively where a separation of between 16 and 17 metres will be provided. Furthermore, the new dwellings will be set back from the boundary and separated from the boundary by the landscaped buffer. Whilst this can only be taken as a guide, the separation distances proposed are acceptable, even taking into account level differences and it is not considered that an unacceptable loss of light would therefore occur at those properties along Woodlands Avenue.
- 6.5.10 Land Stability: A number of representations have been received raising concerns that the development could affect the stability of the unsupported embankment along the boundary with Woodlands Avenue, where any slope failure would have significant implications upon those properties. In response, the applicant has provided additional information in the form of a Woodlands Avenue Interface Plan and accompanying statement from their Structural Engineer. These documents provide details of the trench foundations to be used and advise that when calculating the load applied to the bearing strata, it is widely accepted that load from the underside of the foundation travels down at a 45 degree angle. Due to the presence of clay soils and the presence of the hedgerow, an allowance will have to be made for deepening foundations in accordance with NHBC standards. This is likely to make the depth of the

foundations in excess of 1.5m and at this depth, 45 degree action of foundation loading along with the distance to the boundary mean that there will be no adverse effect on the bank or its stability. This information has been considered by the Council's Geotechnical Engineer who agrees with its findings and raises no objection to the proposal in this respect.

6.5.11 Drainage: Representations have also been received raising concern that the development will exacerbate existing problems where surface water runoff from the field affects the properties along Woodlands Avenue. In response, the applicant has agreed to provide a land drain located along the landscaped buffer, which is intended to intercept any surface water which has not been caught by the positive (piped) drainage system to be installed as part of the development. The new drainage system will be designed to transport surface water from hardstandings (roof/tarmac/paving) away from the area adjacent the Woodlands Avenue boundary to discharge into sewers beneath the new roads. The applicant therefore suggests that by reducing the amount of land which currently drains to the boundary and introducing the new drainage system as part of the development, the situation will actually be improved for residents along Woodlands Avenue.

6.5.12 The Council's Drainage Engineers have assessed the proposal and agree that the indicative scheme along Woodlands Avenue would represent a betterment to the situation which exists with the current greenfield site. Once the submitted and approved drainage scheme has been installed no flooding should occur on site during all events up to the 1 in 100+30% event, which translates to an extreme rainfall event with a 1% chance of occurring in any given year. Should the development proceed as outlined above, the Council would consider that the developer has taken every reasonable precaution to intercept flows and direct them into the site and away from Woodlands Avenue. However, the maintenance of the drainage system is also important and the Council will need to ensure that an appropriate inspection and maintenance regime is added to the sites Landscape and SUDS Management Plan.

6.5.13 Whilst the requirement to provide full drainage details is already a requirement of the outline permission (Condition 10), Drainage Officers have requested that a condition is imposed on the reserved matters approval requiring a detailed scheme of land drainage for the Woodlands Avenue boundary to be provided prior to commencement of the development, which shall include details on the future ownership and maintenance of the proposed land drain.

6.5.14 Summary: The representations and concerns raised in respect of the impact upon and relationship with properties along Woodlands Avenue are noted. Officers have worked with the applicant in order to address the concerns raised and are satisfied with the responses provided. As a result, taking into account the mitigation measures proposed it is not considered that a refusal on the grounds of loss of privacy, loss of light, impacts from surface water or land instability could be substantiated on planning grounds. A discussion of drainage proposals for the wider site are contained section 6.8 below.

## **6.6 Trees and Landscaping**

- 6.6.1 The proposed development will provide a generous amount of public open space which will predominantly be provided around the perimeter and the centre of the site. In most cases, the open space has been specifically positioned to provide separation from heritage assets and built development adjacent the site or to provide a suitable standoff from veteran trees. The green spaces do, however, provide relief from the built development and along the west side of the site, help to provide a softer transition to the fields and countryside beyond.
- 6.6.2 A number of veteran trees are located across the site and the proposal seeks to retain all but one of these within the green spaces. In some cases, footpaths and some built development will encroach into the root zones of the trees and sufficient measures will need to be taken to ensure that those trees are not harmed. The outline permission requires the submission of tree protection fencing details, however, the Council's Tree Officer is requesting that further detail is submitted in the form of a tree protection plan and construction method statement and a suitably worded condition can be added to any planning approval requesting this. The applicant has also indicated that the hedgerows around the perimeter of the site will be retained including along the Haygate Road frontage which is welcomed by officers and residents, but will be reduced to a height of 1.8 metres. As a result of the above, the Tree Officer raises no objection to the proposal subject to details of tree protection measures being submitted by condition.
- 6.6.3 Detailed planting plans have been provided which indicate the landscaping scheme to be provided throughout the site. One important function will be to provide a landscaped buffer along the western boundary with the cricket club and the Historic Park and Garden where any planting will play a dual role by providing a visual screen and also security for the cricket club. The plans show a mix of tree and shrub planting along the boundary in addition to a post and rail fence and 2 metre high wire mesh fence around the cricket club car park.
- 6.6.4 Children's Play Areas: As indicated on the masterplan, children's play areas will be incorporated within the open space at the western edge of the site and will comprise a ball court, play area and skate park. Following concerns raised by the cricket club regarding the potential for stray cricket balls 'hit for six' during matches to reach the play area, this area has been reconfigured, with the ball court placed alongside the cricket club car park and 3 metre high security fence to be installed along the side of the court. The play area and skate park have been repositioned further away from the boundary but retain the necessary 30 metre separation distance from nearest properties. Such measures, in addition to a 2 metre high security fence to be provided around the cricket club car park and the planted buffer are considered satisfactory by the cricket club. The proposals have been considered by the Council's Healthy Spaces Officer who raises no objection.
- 6.6.5 Through the retention and incorporation of trees and hedgerows the development satisfies the requirements of T&WLP Policy NE2 and the

provision of open space and opportunities for recreation and children's play meets the requirements of T&WLP Policy NE4.

## **6.7 Ecology Issues**

6.7.1 The application has been accompanied by a number of supporting ecological surveys which have been updated since the initial outline application was submitted in 2013. The surveys found no additional habitats of principal importance or protected species beyond those identified previously. The Planning Ecologist has considered the submitted information and confirms that the habitats to be lost, with the exception of the stretches of hedgerow, remain of low ecological value and mitigation is proposed within the landscaping scheme in the form of species rich meadow, a SUDS pond feature, additional hedgerows and tree and shrub planting alongside areas of amenity grassland, public open space and residential gardens which will offset the loss.

6.7.2 The Council's Planning Ecologist remains satisfied that conditions attached to the outline permission remain sufficient to control the impacts of the development, however, one additional condition is requested requiring the felling of veteran tree T12 to be carried out in accordance with the reasonable avoidance measures set out in the 'Tree Felling Method Statement'. The proposal is considered to meet the requirements of Policy NE1.

## **6.8 Drainage Issues**

6.8.1 Whilst drainage comments provided in paragraphs 6.5.12 to 6.5.14 relate specifically to the Woodlands Avenue Interface, Council Drainage Officers have also considered drainage proposals for the wider site which have been submitted as a discharge of condition application to discharge Condition 10 attached to the outline permission TWC/2013/1033. As such, these details are not a matter which can be considered as part of this reserved matters application.

6.8.2 For information, the proposed layout includes a system of swales located around the western edge of the site, incorporated within the open space which will store excess rainwater during significant events. Water will discharge to a pond to the north west of the site and a connection to the Beanhill Brook has been established under TWC/2017/0484 granted on 25th August 2017.

6.8.3 Drainage Officers have indicated that they are generally happy with the drainage scheme submitted, however, there are areas where the SUDS layout conflicts with the landscaping and footpath layouts and these will need to be updated to accurately reflect the layout on site. However, as the drainage details are being considered under a separate discharge of condition process it will be sufficient to update the details as part of this process.

6.8.4 Taking the above factors into consideration, Council Drainage Officers are satisfied with the principles of the drainage scheme proposed and are happy to consider the precise details under the process to discharge Condition 11 attached to the outline permission. On this basis, the application is considered to comply with the requirements of T&WLP Policy ER12.

## **6.9 Other Matters**

### **6.9.1 Construction Management:**

A number of representations have been received raising concerns regarding potential disruption and disturbance to residents during the construction period, however, it is an inevitable consequence of new development sites that some disruption will occur. Given the size of the site and the proximity to existing housing, residents are keen to ensure that issues such as construction hours are reasonable and adhered to by the developers. This has been exacerbated by one of the developers, Bovis Homes breaching working hours restrictions on another site within the area.

6.9.2 It is a requirement of the outline permission (Condition 18) that a Site Environmental Management Plan (SEMP) is submitted which provides details of various aspects of the construction process including construction hours and deliveries. This will be addressed through the discharge of condition process. However, in this instance, the Council's Environmental Health Officer has requested that a condition is imposed specifically setting out permitted times of operation and Planning Officers agree that in this instance, a specific working hours condition is required.

### **6.9.3 Construction Access:**

The applicants have also submitted a separate planning application to create a construction traffic entrance within the Haygate Road frontage which would function separately from the main site access and would be used solely by construction traffic. This application has yet to be determined. Officers have raised a number of concerns covering issues such as the position, size, layout and specification of the access and the potential impact upon adjacent residential properties. At the time of writing, the applicant is reconsidering their position and any update will be reported at the planning committee meeting. However, this issue is not considered crucial to the determination of this application as without the second access, construction traffic will be required to enter the site using the main site entrance.

### **6.9.4 Quality and volume of plans and supporting information:**

It is noted that some representations question the quality of the submission and the number of plans submitted in addition to several plans containing conflicting information and being difficult to interpret. With a development of this size, it is inevitable that changes to the layout and supporting details will occur as the application progresses. Unfortunately, this often requires amendments to all related plans and details which can then become confusing. In this instance, a number of amendments to various aspects of the application have taken place, which has led to a number of plans being superseded. Officers are satisfied that the current plans on the file are accurate and sufficient to allow determination of the application.

### **6.9.5 Noise Mitigation:**

A supporting Noise Assessment carried out by Acoustic and Engineering Consultants Ltd considers the likely impact upon the development of noise from noise from Haygate Road. The report concludes that mitigation

measures will be required in dwellings in the Haygate Road character area to control internal noise levels and recommends that double glazing and acoustic trickle vents are used together with external walls achieving sound insulation of around 50dB. Based on this, noise should not be considered a determining factor in relation to any planning permission being sought

## **7.0 CONCLUSIONS**

7.1 This application seeks approval of the remaining reserved matters, namely layout, scale, external; appearance and landscaping pursuant to outline planning permission reference TWC/2013/1033 allowed on appeal. Only those issues pertinent to the reserved matters applied for can be considered as part of this application.

7.2 The proposed layout and design have undergone changes following discussions with officers during the application stage which have succeeded in providing a development which will fit into the Haygate Road street scene and will respect the character and appearance of the area. Changes to the design have improved the quality of the Haygate Road frontage and provided a more consistent approach within each of the character areas in terms of designs, materials, treatments, etc used by both developers. The highways layout has undergone a number of amendments to ensure it is up to an adoptable standard and is now considered acceptable by the Local Highways Authority. The proposal will retain the majority of veteran trees on site and includes a sympathetic landscaping scheme and planting plan which will help the development to integrate into its surroundings. No additional ecological issues are raised beyond those addressed at the outline stage.

7.3 The Woodlands Avenue Interface is perhaps the most sensitive aspect of the development. In response to concerns raised, the applicant has provided a private landscaped buffer along the boundary, sectional plans through the boundary, details of foundations and loading along the boundary, details of a land drain and positive piped system to transport surface water away from the boundary and has also agreed to restrictions requiring obscure glazing to be provided in rear facing first floor windows of those properties nearest to the boundary. Officers consider that as a result of the mitigation measures proposed, the relationship between the proposed development and properties along Woodlands Avenue will be acceptable and the proposal would not result in significant and demonstrable harm to the quality of life of residents along Woodlands Avenue. Suitable controls will be placed upon the development through a Construction Management Plan to ensure that the amenities of nearby residents are not harmed during the construction process.

7.4 Taking the above matters into consideration, it is considered that the proposed development will accord with the relevant policies contained within the local development plan and national planning policy framework and the application is recommended for approval.

## **8.0 RECOMMENDATION**

8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted

to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager)

Conditions

1. A02 Reserved Matters Time limit
2. C002 Materials as per Materials Matrix
3. B079 Drainage scheme for western boundary
4. B079 Exceedance Flow routing plan
5. B076 SUDS Management Plan
6. B139 Arboricultural Method Statement
7. C020 Highways – details of raised tables
8. Ccust Installation of Cricket Club Car Park Fence
9. Ccust Provision of Woodlands Avenue Landscaped buffer
10. C059 In accordance with Noise Report Mitigation recommendations
11. C089 Haygate Road Hedgerow
12. C109 Felling of Tree with Bat Roost Potential
13. C38 Approved Plans
14. D08 Obscure Glazing
15. D09 No further windows
16. D11 Hours of work restrictions

Informatives

- I08 Highways Licence
- I23 Bats
- I34 Discharge of Condition
- I40 Conditions
- I43 Reason for Grant of Reserved Matters
- RANPPF2 Approval - National Planning Policy Framework.