

TWC/2017/0406

Land rear of Cedar Lodge, Waters Upton, Telford, Shropshire  
Erection of 8no. dwellings (including 3no. affordable units) with creation of new  
access \*\*\*AMENDED DESCRIPTION AND AMENDED PLANS RECEIVED\*\*\*

**APPLICANT**

John Brown

**RECEIVED**

17/05/2017

**PARISH**

Waters Upton

**WARD**

Edgmond and Ercall Magna

**OFFICER** Matthew Thomas

**WATERS UPTON PARISH COUNCIL HAS REQUESTED THAT THIS  
APPLICATION BE DETERMINED BY MEMBERS OF PLANNING COMMITTEE**

OBJECTIONS RECEIVED: YES

**1.0 THE PROPOSAL**

- 1.1 This full planning application seeks permission for the erection of 8no. dwellings on a piece of land situated to the east of 'Cedar Lodge' within the village of Waters Upton. The proposed development will provide 3no. 2 bedroom properties (plots 1, 5 & 6) which will be made available as affordable units and 5no. detached dwellings (plots 2, 3, 4, 5 & 8) which will be provided for the open market. The open market dwellings will all provide 3 bedrooms apart for plot 4 which will be a 4 bed unit.
- 1.2 The application site measures approximately 0.33ha which equates to a density of 24 dwelling per hectare. The site is set back approximately 35m away from the highway and behind 'Cedar Lodge'. Access is to be provided off the highway and is to be shared with the adjacent development to the north of the site. The proposed access will extend some 36m back from the highway before branching off to serve the proposed cul-de-sac. On-site car parking will be provided for each dwelling together with private gardens areas to the rear. A detached garage will be provided for plot 3.
- 1.3 Amended plans have been submitted during the course of this planning application, primarily to include the provision of affordable housing, and the Local Planning Authority undertook a second round of consultation. Together with the application form and indicative site layout plan the application is supported by the following documents:
- Design & Access Statement
  - Arboricultural Impact Assessment
  - Extended Phase 1 Habitat Survey

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The application site sits in the rural area of the Borough within a central location of Waters Upton village, to the east of 'Cedar Lodge' and south of the Saint Michael's Church. The site is located to the west of the stretch of the A442 which runs between the north of Telford to the A53 at Market Drayton to the north east and A41 to Whitchurch to the north-west. There is an existing Public Right of Way which runs along the southern boundaries of the site.
- 2.2 The site measures approximately 0.33ha and comprises a fairly flat parcel of managed grassland which is essentially part of the former stack yard of a working farm. The adjacent concrete yard, which houses former corn silos and a modern agricultural shed, has planning permission for the construction of 8no. dwellings. Boundary treatments comprise predominantly of established hedgerows and a number of semi-mature trees with post and rail fencing along the eastern boundary. There is an existing sandstone wall abutting the highway which falls outside of the red line boundary of the site.
- 2.3 Existing developments within the immediate area comprise mainly of detached properties set on large plots and comprise a mixture of styles including late 19<sup>th</sup> century brick dwellings as well as more recent developments. There are a number of facilities in the village including a Public House, village stores and Post Office, butchers, Village Hall and Church. Crudgington Primary School is positioned to the south around 800 metres away. A bus stop is located approximately 350m away from the site, outside the village stores, which is serviced by the 'Wrekin Rider' which provides limited connections to Wellington during the week.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 TWC/2014/0761 (Part of a wider parcel of land) – Erection of 130no. dwellings and associated garages, 8no. commercial units for use class A1 and B1 and further commercial unit at use class D1 with associated highway infrastructure, pathways, multi-use games area and landscaping following the demolition of existing agricultural barns – Full Refused (18/12/2014)
- 3.2 TWC/2011/0575 (adjacent site to the south of St Michael's Church) – Outline planning application for the erection of 8no. dwellings with associated access and amenity space and church parking provision -Outline Granted (15/08/2013)
- 3.3 TWC/2015/0994 (adjacent site to the south of St Michael's Church) – Reserved Matters application for the erection of 8no. dwellings with associated access and amenity space – Reserved Matters Granted (29/07/2016)

## **4.0 PLANNING POLICY CONTEXT**

- 4.1 National Planning Guidance:  
National Planning Policy Framework

- 4.2 Telford & Wrekin Local Plan (2011-2031):  
SP3 Rural area  
SP4 Presumption in favour of sustainable development  
HO10 Residential development in the rural area  
NE1 Biodiversity & Geodiversity  
NE2 Trees, hedgerows and woodlands  
C3 Impact of development on highways  
BE1 Design Criteria
- 4.3 Waters Upton Neighbourhood Plan:  
WUH1 New Housing  
WUH2 Affordable Housing  
WULC2 Local Character

## 5.0 SUMMARY OF CONSULTATION RESPONSES

### Standard consultation responses

- 5.1 Waters Upton Parish Council: Object
- The Parish Council strongly object to the application and wish for it to be heard at planning committee

Following a second round of consultation, the following response was received:

- The Parish Council continue to strongly object to the application and wish for it to be heard at planning committee
- The proposal is against the TWLP and does not conform to the NPPF and more importantly it is contrary to the Waters Upton Neighbourhood Plan
- The site is not an infill plot and there is no access to the site until the adjacent site has been completed
- No evidence of 'need' for the proposed affordable homes
- It is not appropriate that large agricultural farm vehicles should access the fields to the rear through the housing estate
- There is an established right of way across the land and there has, to date, been no consultation on a diversion route, or to change its status

- 5.2 Highways: Comment
- The siting of yet another farm access at the end of the road may suggest potential for further development in the future – The Local Highways Authority would not encourage this
  - The proposed layout is not considered adoptable as there would be no public benefit in adopting a residential road that will be used as a through road for an agricultural store and agricultural traffic. As such, the development in its current form would have to remain private
  - The proposed development cannot be delivered until the access and access road approved under planning reference TWC/2015/0994 (land to the north) has been delivered; therefore, any conditions pertaining to

access visibility and associated off-site highway works will be included as part of this highways recommendation

- There are no specific defensible grounds for a highways refusal of this particular scheme. It is considered that the PM peak vehicular trips associated with a development of 8no. houses will be small, with no detriment to the safe operation of the adjacent adopted highway network, and as such, the following highways conditions are requested:
  - Parking to be provided prior to occupation
  - Construction details of new roads, footways, accesses, PRow to be submitted
  - Details of off-site highway works to be submitted

### 5.3 Drainage: Support subject to conditions

- Foul and surface water drainage

### 5.4 Ecology: Support subject to conditions

- Erection of artificial nesting/roosting boxes
- Lighting Plan
- Informative – nesting wild birds

### 5.5 Arboriculture: Comment

- Details required regarding tree protection measures

### 5.6 Affordable Housing: Comment

- It is proposed to provide 3 homes [38%] for affordable rent (through a Registered Provider) as part of a mixed tenure development of 8 homes. These would be dormer-bungalow properties, with a bedroom and a bathroom on each floor. These are innovative property types with the potential to meet varied housing needs, including older people and families containing a disabled adult or child. They would also enable people to remain living in Waters Upton or to move closer to family within the parish
- The number of people in Telford & Wrekin Borough aged 65 or over is projected to increase from 28,100 in 2015 to 41,000 by 2031 (a 45.9% rise). 18.2% of households across Telford and Wrekin are either singles or couples aged 65 years or over (2011 Census). Older singles and couples represent 24.3% of households in the Rural Area. National research shows that the majority of older people want to stay in their own homes, with help and support when needed. It is important to continue that the range of older persons' housing provision in the borough continues to increase and diversify. This also has the potential to free-up larger family accommodation
- The latest Strategic Housing Market Assessment (SHMA) [2016] highlights the requirement for 88 additional affordable homes each year in the rural part of the borough
- It should also be a firm requirement that these homes should remain as affordable and not just be affordable at the outset. A Local Lettings Plan should be agreed with Telford & Wrekin Council and Waters Upton Parish Council, including an appropriate process to confirm the eligibility of applicants. As part of this, all lettings should be made through 'Homes

Direct' with priority for initial lettings and future relets be given to people in housing need who are long term residents of, or who have a strong local connection with, the parish of Waters Upton. This may subsequently cascade to adjacent rural parishes within Telford & Wrekin, other rural parishes within Telford & Wrekin and then to the wider borough.

- 5.7 Shropshire Fire Service: Comment
- Include Fire Authority informative
- 5.8 West Mercia Police: Comment
- Condition Secure by Design

#### Neighbour consultation responses

- 5.9 Following neighbour consultation 6 letters of objection were received and the issues raised are summarised below:
- Waters Upton Neighbourhood Plan (WUNP) does not support such applications and the adjacent site for 8 homes would not have been granted planning permission if the WUNP had been in place at the time
  - There is no identified need for new homes in this location – if there is a need, this has already been met by other planning approvals within the village
  - This is not a suitable infill plot or brownfield land and opens up rear fields for more development in the future
  - Application is contrary to the National Planning Policy Framework (NPPF) in particular para 17 and 196
  - The target for rural housing has consistently been exceeded for many years
  - In the Parish of Waters Upton, which has just over 360 dwellings, applications are currently approved for 175 further dwellings, an increase of almost 50%. In the Village of Waters Upton comprising of less than 100 dwellings over 30 new dwellings are either under construction or have planning approval. Many houses in the Village remain unsold and are rented
  - Members are urged to visit the site and other recent developments nearby
  - Strongly recommend that the developer checks with the Telford and Wrekin Rights of Way department the exact line of the definitive footpath and to upgrade the route to a bridleway

Following a second round of consultation a single letter of objection was received however no new issues were raised.

## **6.0 PLANNING CONSIDERATIONS**

- 6.1 Having regard to the development plan policy and other material considerations, the planning application raises the following main issues:
- The principle of residential development on this site

- The impact on the character and appearance of the area
- The impact on the living conditions of neighbouring properties
- Other Constraints – highways, drainage, ecology/trees

#### The principle of residential development on this site

- 6.2 Section 38 (6) of the Planning and Compulsory Act (2004) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Since the application was registered, the Telford & Wrekin Local Plan (2011-2031) has now been formally adopted and therefore supersedes the Wrekin Local Plan and Core Strategy policies.
- 6.3 The National Planning Policy Framework (NPPF) advises that ‘housing applications should be considered in the context of the presumption in favour of sustainable development’ and encourages Local Planning Authority’s to deliver a wide choice of high quality homes identifying the size, type and range of housing that is required in particular locations. The guidance gives weight to strong designs, advising LPA’s to refuse development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.4 Policy HO10 of the Telford & Wrekin Local Plan (TWLP) identifies Waters Upton as one of the villages where new development is to be focussed due to its range of services. Within these villages the local plan affirms that the Council will ‘support a limited amount of infill housing’ however definitions of infill sites or limited infilling are not provided. By focussing housing, employment, and service and facility development within these settlements, a pattern of development should be created that maximises the accessibility of services and facilities to rural residents, whilst reducing the need to travel by car and enhancing local identity and character. This policy also contributes towards achieving the objectives of policy SP4 of the plan which states that there will be a presumption in favour of sustainable development.
- 6.5 Policy WUH1 of the Waters Upton Neighbourhood Plan supports new housing in the village on ‘small infill sites or plots that do not cause a visual intrusion into open countryside’. Policy WUH2 supports the provision of affordable housing where it is demonstrated that it ‘meets identified local need’. Meanwhile policy WULC2 requires development to ‘retain or enhance features that characterise the village’.
- 6.6 The application site is located within the core of the village and its services and facilities including a primary school, church, village shop and post office, butchers and a Public House. A bus stop is located approximately 350m away from the site, outside the village stores, which is serviced by the ‘Wrekin Rider’ which provides limited connections to Wellington during the week. There are existing developments to the north, south and west of the site including land south of St Michael’s Church which has recently been granted outline and subsequent reserved matters consent.

- 6.7 The boundaries of the application site are well defined and officers do not consider that the proposed development would result in an encroachment into the open countryside or cause a visual intrusion into the adjacent open countryside. The LPA considers the site to be a natural progression of the land immediately to the north which has recently benefited from planning consent for the construction of 8no. dwellings. The development of this application site would round off this part of the village and with the retention of existing boundary treatments, particularly along the eastern boundaries, officers are satisfied that there would be no extension in to the open countryside.
- 6.8 The proposed development will not result in a built up frontage of the site, something which is traditionally associated with 'infill' development, however there are existing developments to the north and west and farm buildings to the south and therefore this will not be an isolated form of development or one which encroaches in to the open countryside or would be a visual intrusion into open countryside. Taking the above in to consideration, the Local Planning Authority is satisfied that the proposal represents a sustainable form of development within the core of one of the named villages identified as suitable for a limited amount of housing and the principle of development is therefore supported subject to the usual planning considerations which will be discussed below.

#### The impact on the character and appearance of the area

- 6.9 Policy BE1 of the TWLP advises that the Council will support development which will respect and respond positively to its context, demonstrating an integrated design approach and respecting its landscape setting. In addition, national guidance contained in the NPPF asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.
- 6.10 When considering the well-defined boundaries of the site, its location behind and adjacent to existing residential development and its position set back from the highway, the overall contribution the site makes to the character of the street scene is considered to be somewhat limited. Furthermore the proposal will not be an isolated form of development or one which encroaches in to the open countryside or would be a visual intrusion into open countryside. The proposed development would equate to a density of approximately 24 dwellings per hectare and whilst this immediate part of the village is typically of a lower density, this would not be too dissimilar to other developments elsewhere in the village. Incidentally, the piece of land to the north where development is due to commence, has a density of approximately 20 dwellings per hectare. Therefore, in this instance, the scale of development proposed is considered to be acceptable.
- 6.11 The application site and its immediate surroundings are largely flat and somewhat featureless with hedgerows and a few semi-mature trees, typically found along the boundaries. The boundaries to 'Cedar Lodge' will remain largely unaffected and the 5no. trees, including 3 common lime trees subject

to tree preservation orders, will be retained and protected during construction. The proposed layout of the new dwellings provides opportunities for further planting of hedging, shrubs and trees as well as other forms of soft landscaping which will provide enhanced visual amenity.

- 6.12 There are four different house types proposed, including 6no. detached dwellings and 2no. semi-detached. Each of the new houses have been designed sensitively to reinforce the local vernacular with features including dormers, chimneys, well-proportioned windows with glazing bars, small porches and stone window detailing.
- 6.13 Plots 5 & 6 will comprise the 2no. two bedroom dormer bungalows which are to be made available for social rent and designed to be incorporate lifetime home principles. Whilst the gardens available for these two dwellings are limited in size, a good standard of living accommodation will still be achieved. Plot 4 is the largest of the proposed dwellings and will provide further variation with the introduction of a catslide roof which merges in to the front porch. This plot will be the stop end of the development, an imposing farmhouse style dwelling with well-proportioned windows openings with headers and sills and prominent chimneys. The proposed variation in style and design will provide a bespoke form of development which will positively influence the character and appearance of the local environment.
- 6.14 Conditions can be imposed to the decision notice to ensure a suitable pallet of finishing materials are used to include appropriate forms of boundary treatments and implementation. Therefore, taking the above in to consideration it is concluded that the development of this site would not result in any conflict with TWLP policy BE1. This policy seeks appropriate design quality which relates to its context whilst positively influencing the use and appearance of the local environment. The policy aims are consistent with the National Planning Policy Framework.

#### The impact on the living conditions of neighbouring properties

- 6.15 Policy BE1 of the TWLP requires development proposals to demonstrate that there will be no significant adverse impacts on nearby neighbouring properties. The objectives of this policy is reflected in the NPPF which requires the provision of a good standard of amenity space for all existing and future occupants of land and buildings.
- 6.16 Due to the positioning of the site, being set back away from the highway and other existing neighbouring properties, the overall impact on the living conditions of the occupants of these houses as a result of the proposed development is considered to be relatively minimal. The closest relationship to consider is that of the existing dwelling, 'Cedar Lodge', a single storey bungalow, and plot no.8, a detached two storey dwelling which will be side on to this property. There will be a separation distance of approximately 13.5m between the rear elevation of 'Cedar Lodge' and the side elevation of plot 8, which has also been positioned as far back in to the plot as reasonable to further reduce any significant impact on this existing dwelling. When

considering that there will be no windows in the side elevation of plot 8, and with the existing boundary treatment being retained, officers are satisfied that there will be no significant adverse impact on these residents by virtue of any loss of light, privacy or outlook.

- 6.17 Whilst the development of the adjacent site to the south of the Church, north of the site, is yet to commence, the Local Planning Authority understands this is due to take place within the near future and therefore it is also necessary to consider what impact the proposed development may have on this previously approved scheme. Officers note that where dwellings are directly facing each other, a minimum separation distance of 20m will apply and where dwellings are side on to each other, there will be a minimum separation distance of 12m.
- 6.18 Officers have also considered the relationship of the proposed 8 dwellings with each other and have concluded that there is also adequate separation distances between the new houses. With there being no topography issues to consider on this site, together with adequate boundary treatments, the LPA is satisfied that the relationship between the two developments will be acceptable and adequate and a good standard of amenity space will be provided for all future occupants. Accordingly, the proposed development is considered compliant with local policy.

#### Other Constraints

##### *Access and impact on highways*

- 6.19 Policy C3 of the TWLP seeks development which does not adversely affect highway/pedestrian safety. It is proposed for the access to be taken directly off the highway, within close proximity to the River Lane junction. A single width road will be provided for approximately 35m and it will then branch off to the north for the previously approved development to the south of St Michael's Church and to the south to the site subject to this application. There are good levels of visibility between the two sites and vehicles will be able to enter/exit the highway without causing any obstructions.
- 6.20 The Local Highways Authority has no objection to the principle of a shared access however all highways related conditions imposed to the permission for the adjacent site will be imposed to any forthcoming permission to ensure that adequate visibility splays provided and to ensure the development does not adversely affect highway safety. The LHA has stated that they would not be in a position to support further housing following this scheme as this would result in an unacceptable intensification of the new access off the highway.
- 6.21 The parking guidance of the TWLP requires approximately 20 car parking spaces to be provided for this scheme. There is a shortfall of 3 spaces provided within this site, however this is not of significant concern and officers are satisfied with the level of parking provided for each plot. It is therefore concluded that there would be no conflict with policies BE1 and C3 of the TWLP. These policies seek adequate access and car parking provision to

new development which preserves highway safety. The policy aims are consistent with the National Planning Policy Framework.

*Drainage*

- 6.22 The application site is not located within flood zones 2 and 3 (as per the Environment Agency's Flood Map). The Council's Drainage Engineers have assessed the proposals and have offered support for the proposals subject to a scheme for foul and surface water drainage being agreed prior to commencement of development.

*Ecology & Trees*

- 6.23 The application is supported by an Extended Phase 1 Habitat Survey and an Arboriculture Impact Assessment. These reports conclude that the proposed development can be carried out without any significant impact on local wildlife or trees. The Council's Ecologist has assessed the submitted report and offers support for the application subject to conditions and similarly the Council's Tree Officer has requested further information regarding tree protection measures and this can be conditioned accordingly. A suite of conditions relating to wildlife protection and enhancement to include measures for tree protection will be imposed to the decision notice to ensure the scheme is compliant with local policies.

*Consultation responses*

- 6.24 Officers have taken in to consideration the letters of objection received by both the Parish Council and local residents. One of the primary reasons for these objections appear to be in relation to the principle of development and that it is contrary to the Waters Upton Neighbourhood Plan (namely policy WUH1) local planning policies as well as the NPPF. For the reasons previously discussed, the application site is considered to be an appropriate infill site and one which is located within one of the rural villages identified as suitable for a limited amount of housing. The TWLP and Waters Upton Neighbourhood Plan do not specify the amount of development which the Council will support however in this instance, the scale of development is considered appropriate and will not detract from the character and appearance of the village.
- 6.25 Further concerns have been raised regarding the need for affordable housing in Waters Upton and how this has not been evidenced. Under local planning policy, the applicant is not obliged to provide any level of affordable housing for a scheme of this size, however this provision has come about through negotiations during the planning process where officers felt that the delivery of 3 affordable dwellings would provide some valued local benefit. The applicant has worked closely with the Council's Affordable Housing Officer in terms of ensuring the layout of these homes are fit for purpose.
- 6.26 It is acknowledged that Waters Upton has seen some growth in recent years and officers note that residents have advised that many houses are made available for rent or remain unsold. This alone is not a material planning consideration and the proposed development will help meet the target for the delivery of new homes within the Borough. These dwellings are to be made

available for social rent and the Council's Affordable Housing Officer has confirmed that the latest Strategic Housing Market Assessment (SHMA) [2016] highlights the requirement for 88 additional affordable homes each year in the rural part of the borough. The proposed development will therefore assist in achieving this requirement.

- 6.27 Finally, with regards to the existing right of way, this has been retained as shown on the accompanying plans. It is noted that some local residents/rambling groups would like to see the footpath upgraded to a bridleway however this is something for the applicant/future developer to consider at the appropriate time.

## **7.0 CONCLUSIONS**

- 7.1 Waters Upton is identified within policy HO10 of the Telford & Wrekin Local Plan as one of the Borough's rural villages where a limited amount of infill housing will be focussed. Definitions of infill sites or limited infilling are not provided in the Development Plan and therefore development proposals must be considered on a case by case basis. The scale of development proposed on this site is not dissimilar to other recent types of development in the village including the adjacent site which is of similar size where planning permission has recently been granted for the same number of dwellings.

- 7.2 When considering the well-defined boundaries of the site, its location behind and adjacent to existing residential development and its position set back from the highway, the overall contribution the site makes to the character of the village and street scene is considered to be somewhat limited. In this instance the proposed density of development has been considered acceptable as has the individual designs of the houses. Accordingly, officers are satisfied that there will be no significant adverse impact on the character and appearance of this village or encroachment into the countryside. In addition, the living conditions of occupants of existing and future developments will not be adversely affected by the proposed development by virtue of any significant loss of light, privacy or outlook.

- 7.3 The Council's Highways and Drainage officers have assessed the proposals and have raised no objections subject to the inclusion of conditions. The proposed access and on-site parking appear to be acceptable and will not result in any significant adverse impact on highway safety. Similarly, the development of this site is achievable without causing any adverse impact on local wildlife or to any trees subject to the inclusion of conditions. Accordingly, the application is recommended for approval subject to conditions.

## **8.0 RECOMMENDATION**

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

## Conditions

1. Time Limit – Full 3 years
2. Samples of materials
3. Details of new roads/footways/access/PRoW
4. Details of off-site highway works
5. Parking prior to occupation
6. On-site construction plan
7. Foul & Surface water drainage
8. Details of enclosure
9. Tree protection plan
10. Landscaping implementation
11. Erection of artificial nesting/roosting boxes
12. External Lighting Plan
13. Affordable housing provision (Plots 1, 5 & 6)
14. Removal of Permitted development rights
15. Development in accordance with plans

## Informatives

Ecology

Fire Authority

Secure by Design