

TWC/2017/0259

Site of Alver & land adjacent/rear of Clews Wood Court, Station Road, Madeley, Telford, Shropshire

Demolition of existing bungalow and outline application for the erection of 17no. dwellings, access and layout with all other matters reserved

**APPLICANT**

P Meredith and P Jones

**RECEIVED**

24/03/2017

**PARISH**

Madeley

**WARD**

Madeley and Sutton Hill

**OFFICER** Steven Drury

**1.0 PROPOSAL**

- 1.1 This application seeks outline permission for the erection of 17 dwellings on land at Alver, Station Road, Madeley following the demolition of the existing bungalow at Alver. The application includes access and layout with all other matters reserved.
- 1.2 The application is accompanied by the following supporting documents:-
- Design and Access Statement
  - Arboricultural Appraisal
  - Acoustic report
  - Environmental Appraisal
  - Transport Statement
  - Ground Investigation Report
- 1.3 The application is subject to a Section 106 agreement securing financial contributions towards the following:-
- Affordable Housing at 25%
  - Open Space contribution of £9,600

**2.0 SITE AND SURROUNDINGS**

- 2.1 The site is located within the Telford urban area, within the district of Madeley. It sits approximately 220 metres south of Madeley High Street and district centre and 4.5km south of Telford Town Centre. The site comprises undeveloped land to the south of Station Road. The existing property, Alver, is a bungalow fronting onto Station Terrace to the west of the site. Vehicular access is obtained off Station Road. The Silkin Way extends along the eastern boundary. Two properties, Chayne Lea and Crenla are located to the west of the site and a block of apartments known as Clews Wood Court are located to the North West.
- 2.2 Alver is a bungalow of mid-20<sup>th</sup> century design with a generous garden to the rear. It contains mature trees along the north and east boundaries. The boundary with Chayne Lea to the south contains a low level post and rail fence allowing views between the gardens. A narrow strip of land containing a

number of trees separates the garden from the apartments at Clews Wood Court. Ground levels fall gently from west to east.

### **3.0 RELEVANT PLANNING HISTORY**

3.1 None

### **4.0 PLANNING POLICY CONTEXT**

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

The NPPF is a material consideration and the application should be assessed against the NPPF as a whole. The NPPF is also supported by the Planning Practice Guidance which provides advice on how to interpret national policy.

#### **4.2 Core Strategy policies:**

CS3: Telford  
CS5: District and Local Centres  
CS9: Accessibility and Social Inclusion  
CS13: Environmental Resources  
CS12: Natural Environment  
CS14: Cultural, Historic and Built Environment  
CS15: Urban Design

#### **4.3 Saved Wrekin Local Plan policies:**

EH7: Contaminated Land  
EH8: Remedial Action on Contaminated Land  
EH14: Land Stability  
UD2: Design Criteria  
H6: Windfall Sites in Telford & Newport  
H23: Affordable Housing  
OL11: Woodland and Trees  
OL13: Maintenance of Open Space  
LR6: Developer Contributions to Outdoor recreational Open Space  
SG1: World Heritage Site

#### **4.4 Telford & Wrekin Local Plan:**

4.4.1 The emerging Telford & Wrekin Local Plan (TWLP) is currently at the Examination stage. As part of the Examination, hearings took place between 30th January - 10th February 2017. The TWLP is at an advanced stage of preparation but the weight to be attached to relevant policies in the TWLP will depend on the extent to which there are unresolved objections to those policies and the degree of consistency of those policies and the policies in the NPPF. The relevant policies are considered to be as follows: -

4.4.2 SP1: Telford  
SP4: Presumption in Favour of Sustainable Development  
HO5: Affordable Housing Thresholds  
HO6: Delivery of Affordable Housing  
NE1: Biodiversity and geodiversity  
NE2: Trees, hedgerows and woodlands

NE6: Green Network  
C4: Design of Roads and Streets  
C5: Design of Parking  
BE1: Design Criteria  
BE3: Ironbridge Gorge World Heritage Site  
BE9: Land Stability  
BE10: Land Contamination

#### 4.5 Madeley Neighbourhood Plan:

The Madeley Neighbourhood Plan was adopted on 19<sup>th</sup> March 2015 and the following policies are considered to be relevant to the determination of the application:-

H1: Affordable Housing Provision

GS3: Trees and Woodlands

GS6: Contributions towards Green Spaces and Recreation Improvements

## 5.0 **SUMMARY OF CONSULTATION RESPONSES**

5.1 Madeley Town Council: No comment

### 5.2 **Standard consultation responses**

#### 5.2.1 Healthy Spaces Officer: Comment

Initially objected on grounds that the proposal could impact upon adjacent Council-owned trees along the 'Silkin Way'. However, following a site meeting with the Council's Trees Officer, it has been agreed that a number of Alder trees along the boundary can be removed, under the supervision of the Trees Officer. This approach is acceptable to both Trees and Healthy Spaces Officers. Also requests a landscape management plan condition and confirms the application meets the trigger for a financial contribution of £600 per dwelling towards off site children's play facilities.

#### 5.2.2 Arboricultural: Comment

Satisfied with agreed approach to remove a number of Alder trees along east boundary with Silkin Way. No objection to removal of trees within site which are not protected. Trees along boundary with Crenla and Chayne Lea will remain.

#### 5.2.3 Environmental Health (Pollution Control): Support

Should the planning officer be minded to approve the application a suitably worded condition should be constructed to require the mitigation as set out in sections 7, 8 and 9 of the Acoustic Testing Report, together with controls over construction hours and piling hours.

#### 5.2.4 Drainage: Support

As part of the proposal, Officers would expect to see above ground SuDS provided in line with sustainable drainage principals of providing water quality treatment, amenity and biodiversity as well as attenuation. A condition should be attached requiring details of a surface water drainage scheme prior to the commencement of development on site.

5.2.5 Ecology: No objection

Initially requested further information on bat surveys (presence survey and roost characterisation survey). Following submission of Phase 1 Environmental Appraisal and Phase 2 Bat Survey, is satisfied that the development can proceed under an EPS Mitigation licence. Raises no objection subject to conditions and informatives.

5.2.6 Environmental Health (Contaminated Land): Support subject to conditions  
Raises no objection subject to a contaminated land condition.

5.2.7 Highways: Comment

Raise no objection subject to conditions requiring details of design and construction of new roads, footways, etc, a scheme for parking, loading/unloading and storage of vehicles and a new footway link along Station Road to the Silkin Way. Also requests improvements to the existing signing and lining either side of the Silkin Way (NCN55) further information in relation to the electricity pole in the footway to the front of 'Alver' and its relocation. If it to stay in its current location it appears that it will clash with the parking arrangements for the proposed new dwellings affronting Station Road.

5.2.8 Shropshire Fire Service: Comment

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

5.2.9 West Mercia Police (Crime Prevention Advisor): Comment

Identifies opportunities to design out crime and/or the fear of crime and to promote community safety within the development. Provides comments and recommendations in respect of blank gable ends, car parking courts, dusk-to-dawn lighting, ambiguous space and vegetation, permeability and boundaries. Also makes further comments and recommendations in respect of the construction phase.

### **5.3 Neighbour consultation responses**

5.3.1 Comments received from 4 members of the public, all raising objection, and summarised as follows: -

5.3.2 Objections:

- 10 parking spaces accessed directly off Station Road - cars would either have to reverse onto or reverse off these parking spaces
- Any new development should result in a mix of sizes and styles – land to the east of Station Road already has nearly 100 small modern homes
- Development of 17 dwellings in this space is far too intensive
- Development could lead to more than 30+ additional cars using this area of Station Road on a daily basis with the additional noise and potential risk associated
- A development of this scale should have been identified on the Madeley Neighbourhood Plan

- Cannot tell what trees are to be affected
- Neighbour does not agree for trees along boundary with Chayne Lea to be removed which provide privacy screen
- Boundary with Chayne Lea not drawn correctly - neighbour believes development will encroach onto neighbouring land.
- Development is too dense and will overlook neighbours garden

## **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
- Access and Highways
- Layout and Amenity
- Drainage
- Trees and Ecology
- Ground Conditions
- Planning Obligations

### **6.2 Principle of Development**

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Telford and Wrekin comprises the Core Strategy, the 'saved' policies in the Wrekin Local Plan and the saved policies of the Shropshire, Telford and Wrekin Minerals Local Plan.

6.2.2 The National Planning Policy Framework (NPPF) is also a material consideration in planning decisions, but advises at Paragraph 12 that it does not change the statutory status of the development plan as the starting point for decision making, whereby development that accords with an up-to-date local plan should be approved and development that conflicts should be refused, unless material considerations indicate otherwise.

6.2.3 When considering the weight which can be given to emerging plans, Paragraph 216 of the NPPF advises that 'from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 6.2.4 The site is located within the Telford urban area where the principle of new residential development is supported by policies in both the existing and emerging the local development plan. Core Strategy Policy CS3 and emerging TWLP Policy SP1 both identify Telford as the principle focus for growth to meet the borough's housing and employment development needs. Core Strategy Policy CS5 advises that development should be focussed in district centres or locations highly accessible to those centres. Saved Wrekin Local Plan Policy H6 also takes a similar approach, focusing on distance from and connection to district centres.
- 6.2.5 The site is located approximately 200 metres to the south of Madeley district centre as identified on the TWLP proposals map and as such, is in close proximity to a range of shops, services and transport links. Footpath links exist through to the High Street and the Silkin Way runs along the east of the site, providing footpath links to the High Street and Telford Town Centre beyond. Whilst Station Road is not served by public transport, bus stops are located on nearby on Legges Way to the north east and along Madeley High Street. Officers are therefore satisfied that the proposal satisfies the requirements of relevant existing and emerging local plan policies in terms of being highly accessible to a district centre and is therefore a sustainable location for a residential development.
- 6.2.6 Green Network: Within the saved Wrekin Local Plan, the site is shown as sitting partially within the Green Network. However, this has been updated in the emerging TWLP where the site now sits entirely outside the Green Network. This can be seen as a reflection of the fact that the site has been almost completely cleared of tree coverage. No objections or modifications have been made to TWLP Policy NE6 which can now be given significant weight in the determination process.
- 6.2.7 Notwithstanding the above, in order to satisfy the requirements of saved Wrekin Local Plan Policy OL4, the applicant's agent has submitted a statement which considers the proposal in the context of the existing green network policy. The statement suggests that as the site is not publicly accessible, is not used for recreation, is not of ecological importance and has largely been cleared of trees, the proposal is unlikely to have any material impact upon the green network within Telford. Officers concur with the conclusions of the assessment and agree that the proposal satisfies the requirements of saved Policy OL4.

### **6.3 Access and Highways**

- 6.3.1 The proposal seeks outline permission for a total of 17 dwellings and has included access and layout as matters to be agreed at this stage. An indicative layout plan (ref. 1136\_LP01 rev B) has been submitted with the proposal which shows how it is anticipated that the site will be accessed and laid out.
- 6.3.2 The proposal shows five dwellings fronting onto Station Road, which will be accessed directly from the highway, with parking spaces located immediately

in front of those properties. The remaining 12 properties will be accessed from a new road through the centre of the site served off the existing entry splay to the north.

- 6.3.3 A Transport Statement has been submitted with the application which considers the potential impact of the development upon the surrounding highway network. The statement suggests that the proposal would result in the equivalent of one additional vehicle on the surrounding road network every 7-8 minutes and as such, would not materially affect traffic flows in the area. Highways Officers are minded to agree with this assessment.
- 6.3.4 As identified above, the site is within walking distance of Madeley district centre and will benefit from good pedestrian links to the centre where a range of shops and services are available. The site is also close to bus routes and several bus stops are within close proximity to the site and the Silkin Way also provides a footway and cycleway links to Madeley and beyond. There are therefore a number of alternatives to car travel available to future residents which could help to reduce any potential increase in trip numbers to and from the site. As such it is considered to be a sustainable location for residential development which would not result in an over-reliance on private car transport in the area.
- 6.3.5 Parking Provision: The proposal will provide a total of 34 spaces which equates to two spaces per dwelling and more than satisfies the parking standards as set out in Appendix F of the emerging TWLP. For information the current requirement would be 25.6 spaces. With the exception of one unit, all parking will be provided in front of each property.
- 6.3.6 The transport assessment also includes a swept path analysis diagram showing that cars and fire appliances will be able to turn within the site in order to egress in a forward gear.
- 6.3.7 The proposed access arrangements have been assessed by the Council's Highways Officer who is satisfied with the access arrangements and layout, subject to conditions requiring parking, loading and turning areas to be provided prior to first occupation of the development. The proposed development will not therefore result in harm to highway or pedestrian safety and complies with relevant policies in the local development plan in this respect.

## **6.4 Layout & Amenity**

- 6.4.1 The proposed layout is to be fixed and effectively splits the development into two, with five properties fronting onto Station Road and the remaining 12 properties forming a separate development, served off a new access road. The five properties along Station Road will align with the existing properties to the south, thus continuing the building line, but with parking and landscaping to be provided in front of those properties. As scale, appearance and design are reserved matters for later consideration, these cannot be considered as part of this application, however, the position of the dwellings is considered acceptable and Highways Officers have accepted the principle of parking

spaces directly off the carriageway. The parking spaces are shown to be separated by paving and landscaping will be provided between the spaces and the dwellings. As such, officers are satisfied that the character and appearance of the Station Road street scene will not be detrimentally affected.

- 6.4.2 The 12 dwellings will be served off an 'L-shaped' access road, with parking spaces and landscaping located in front of dwellings. Each property will have a modest sized garden and plot sizes will be appropriate for the size of property proposed and largely representative of plot sizes within the area. Again, scale, appearance and landscaping have been reserved for later consideration, however, on the basis of the detail shown on the plans, the development will respect and not be harmful to the character and appearance of the surrounding area.
- 6.4.3 Residential Amenity: The properties fronting onto Station Road will follow the building line set out by existing properties Crenla and Chayne Lea to the south west. They will be located directly alongside those properties and as such, should not result in any unacceptable overshadowing or overlooking. They will be set forward of the adjacent apartment block at Clews Wood Court to the north but as a result of the separation and orientation to the south west, together with the position of windows in that building, it is also not considered that the proposal would result in an unacceptable loss of light or privacy.
- 6.4.4 Concerns were initially raised by the owners of Chayne Lea regarding the loss of trees along the south east (rear) boundary and an inaccurately drawn side boundary, however, these matters have now been clarified and amended to the satisfaction of the neighbour. The applicant has confirmed that the Leylandii trees along the south east boundary at Chayne Lea will be retained (including T5 and T6 as shown on the Site Plan) and will act as a privacy screen along that boundary. The Leylandii trees within the centre of the site (located along the rear boundary at Alver) will need to be removed to facilitate the development.
- 6.4.5 Whilst the new dwellings will be visible from the rear of Chayne Lea, a back-to-back separation distance of 23 metres will be provided which is sufficient to avoid an unacceptable loss of privacy. A 1m high picket fence is currently forms the boundary treatment between Alver and Chayne Lea which will need to be upgraded to protect privacy between gardens. It is therefore proposed to add a condition to any permission granted requiring details of boundary fencing or treatment to be provided alongside of Chayne Lea.
- 6.4.6 A suitable separation distance has been left between proposed dwellings and the existing apartments at the rear of the adjacent Clews Wood Court site and the orientation of the two nearest properties is sufficient to avoid any direct overlooking or loss of privacy. Clews Wood Court sits at a slightly higher level than the application site and the amenities of the occupants of that property should not be adversely affected by the proposed development.

## **6.5 Drainage**

6.5.1 Foul water drainage is proposed to be connected to the existing system. Surface water drainage will be in the form of a sustainable drainage system. The proposal has been assessed by the Council's Drainage team who raise no objections subject to a condition requiring a details of the surface water drainage scheme to be provided prior to the commencement of the development. Any scheme shall include details of soakaway tests, calculations and design, restricting surface water discharge to 5 litres per second per hectare and attenuating all flows up to and including the 1 in 100 year event + 30% for climate change and showing details of any attenuation and flow control features.

## **6.6 Trees and Ecology**

6.6.1 Trees: Whilst the site has been cleared of a number of trees (and has been removed from the Green Network in the emerging TWLP), there is still extensive tree coverage along the site boundaries. A row of mature trees containing a mixture of species extends along the east side boundary with the Silkin Way which within the ownership of the Council. The Council's Trees Officer initially raised concerns regarding potential shading of properties to be provided adjacent those trees, however, it has now been agreed that the applicant may remove all Alder trees along this boundary in accordance with a scheme to be agreed with the Council's Trees team. Officers are satisfied that sufficient mix of species will remain along the boundary to maintain the character of the Silkin Way whilst preventing harmful overshadowing of the proposed dwellings.

6.6.2 No protected trees are located within the vicinity of the site and no objection has been raised to the removal of the row of trees presently located along the north east side or south east boundaries to the rear of Alver. The proposal is therefore considered to comply with the requirements of Policy GS3 of the Madeley Neighbourhood Plan, Core Strategy Policy CS12, Saved Wrekin Local Plan Policy OL11 and TWLP Policy NE2.

6.6.3 Ecology: The application has been accompanied by a Phase 1 Environmental Appraisal and Phase 2 Bat Survey carried out by Greenscape Environmental. The submitted reports identify the presence of bats roosting in the bungalow to be demolished and these works will therefore need to be carried out under a European Protected Species Licence. Replacement bat boxes will need to be provided and any external lighting would need to be low level. The Council's Planning Ecologist has reviewed the reports and raises no objection subject to conditions requiring the obtaining of an EPS licence, following the recommendations of the surveys, erection of bat/bird boxes and details of any external lighting. Informatives reminding the applicant of their requirements in respect of nesting wild birds and bats are also requested.

## **6.7 Ground Conditions**

6.7.1 The application has been accompanied by Ground Investigation reports which include results of both a desk based study and initial site assessments. The report identifies that the site is not located in an area with the potential for shallow mineworkings and no mine entries are located within 20m of the site.

The report also found that the site has never been subjected to any industrial or potentially contaminative uses.

- 6.7.2 The Council's Public Protection Officer has reviewed the proposal and is satisfied with the findings of the submitted report, however, does request that a condition is attached to any approval requiring a land contamination assessment to be carried out.
- 6.7.3 Officers are therefore satisfied that the proposal meets the requirements of the local development plan in respect of ground conditions, contamination and stability.

## **6.8 Planning Obligations**

- 6.8.1 As the proposal is for 17 units, the proposal meets the trigger to provide financial contributions towards education and children's play provision, together with the provision of affordable housing at 25%.
- 6.8.2 The Council's Schools Organisation Specialist has confirmed that the development will not generate a requirement for an education contribution in this instance as there is sufficient capacity at the catchment primary school, the John Fletcher of Madeley Primary School, to accommodate the likely demand generated by the development.
- 6.8.3 The Council's Healthy Spaces Officer notes that no on-site play provision is included with the application and is therefore seeking a contribution of £9,600 (£600 per dwelling) towards the upgrade/improvement of off-site children's play facilities at Hills Lane play area. The applicant has agreed to this request and the proposal therefore meets the requirements of the Policy GS6 of the Madeley Neighbourhood Plan, Wrekin Local Plan policies LR4 and LR6, and policy NE4 of the emerging TWLP.
- 6.8.4 The applicant has agreed to the provision of affordable housing at a rate 25% of the overall scheme, which, based upon a net gain of 16 dwellings following the demolition of Alver, will provide 4 affordable units on site. The tenure split will need to be agreed with the Councils Affordable Housing Officer in advance of any S106 being signed. The delivery of all units on-site satisfies the requirements of Policy H1 of the Madeley Neighbourhood Plan.
- 6.8.5 In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development;
  - c) fairly and reasonably related in scale and kind to the development.
- In addition account has to be taken of the changes to the CIL Regulations in April 2015 that now restrict the "pooling" of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that the financial contributions required for this application meet the relevant tests. The above obligations will be secured by a S106 agreement attached to the

planning permission.

## **7.0 CONCLUSIONS**

- 7.1 The proposal involves the erection of 17 dwellings on land at, and to the rear of, Alver following the demolition of the existing bungalow. The application is outline with access and layout included. All other matters are reserved for later consideration.
- 7.2 The site is located within the Telford urban area, within close proximity to Madeley district centre, with good connectivity to and from the district centre and good public transport links to Telford Town Centre and beyond. The site is considered a suitable and sustainable location for residential development, in accordance with development plan policies CS3 and CS5 together with TWLP SP1 which can now be given weight in the determination process.
- 7.3 Whilst the site was previously designated as Green Network, it has since been cleared of tree coverage and has subsequently been removed from the Green Network in the emerging Telford & Wrekin Local Plan. A number of trees around the perimeter of the site will be retained thus preserving its 'green character' but no objection is raised to the removal of trees in the centre of the site. The proposal will not be harmful to wildlife habitats or protected species but will need to be carried out under an EPS licence in respect of roosting bats. No harm will therefore result to the existing adjacent Green Network.
- 7.4 The site can be accessed safely and satisfactorily without harm to pedestrian or highways safety and the surrounding highway network can accommodate the marginal increase in trip rates. The proposed layout will provide a development which respects the character and appearance of the surrounding area in terms of plots sizes, dwelling positions and parking provision, however, further consideration of scale, appearance and landscaping will need to take place at the reserved matters stage. The layout also indicates that the amenities and living conditions of neighbours will not be significantly and demonstrably harmed.
- 7.5 The proposal provides significant benefits in the form of new 2 and 3 bed dwellings, including 4 affordable units, and will provide a £9,600 contribution towards off-site children's play facilities. The proposal therefore brings long-term social benefits together with short-term economic benefits in the form of construction job generation. The development of the site also brings visual benefits as whilst not previously developed, it has become something of an eyesore having been left vacant and become overgrown. Such benefits would significantly outweigh any harm resulting from the development of the site.
- 7.6 Officers are therefore satisfied that the proposal accords with the relevant policies within the local development plan and also represents a sustainable form of development, in accordance with the requirements of the NPPF.

## 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 OUTLINE PLANNING PERMISSION** subject to the following:

- A) The applicant/landowner and other interested parties entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) with indexing applicable from the date of the committee resolution to grant for the following:-
- i. Affordable housing at a rate of 25%
  - ii. £9,600 towards the upgrade/improvements to off-site children's play facilities at Hills Lane play area.
- B) The following conditions and informatives (with authority to finalise conditions and reason for approval to be delegated to the Development Management Service Delivery Manager): -

### Conditions:

1. A01 Time Limit
2. A03 Submission of Reserved Matters
3. B001 Remaining matters
4. B011 Details of materials
5. B032 Details of roads, footways, etc
6. B049 New Footpath Design
7. B061 Foul and surface water drainage
8. B057 Land Contamination
9. B120 Details of enclosure
10. B127 Landscape Management Plan
11. C074 Tree Protection
12. C109 In accordance with Ecology report
13. C109 EPS Licence
14. C101 Bat Boxes
15. C109 External Lighting Plan
16. C38 Approved plans
17. Dcust Retention of hedgerow
18. Dcust Obscure glazing

### Informatives:

- I06 S106 Agreement  
I11 Highways – telegraph pole  
I25k Bats  
I25m Nesting Birds  
I40 Conditions  
I44 Reasons for Outline  
RANPPF1 Approval NPPF