

TWC/2015/0920

Site of Apley Home Farm, Apley Castle, Apley, Telford, Shropshire

Outline application for up to 10no. residential dwellings with all matters reserved

AMENDED DESCRIPTION AND AMENDED PLANS RECEIVED

APPLICANT

and Trustees of G Powell (decd), G. M. Powell

RECEIVED

12/11/2015

PARISH

Hadley and Leegomery

WARD

Apley Castle

CLLR KAREN BLUNDELL HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

1.0 Summary Recommendation

1.1 Grant Permission subject to conditions

2.0 Application Site

2.1 The application sites measures approximately 1.25ha and forms part of the curtilage of Apley Home Farm, a locally listed building, which is located within the built up area of Telford, approximately 1.5 miles north of Wellington. The site is accessed by an adopted highway (Apley Castle) which branches off from Whitchurch Drive (A5223). There is an existing vehicular access off Apley Castle and a Public Right of Way runs through the site along the eastern boundary.

2.2 The site falls away gradually in a northerly direction and boundary treatments comprise predominantly of mature hedging and trees. To the east of the site is the wider established Apley Castle residential development, to the south is the Severn Hospice and Princess Royal Hospital. To the north is the former Maxell site where planning permission was granted in 2015 for a mixed use development comprising 495no. dwellings and a local centre.

2.3 A wildlife corridor which runs along the north, east and west boundaries of the site falls within the Borough's Green Network designation however the development site falls outside. A group of trees to the west of the site are protected by a Tree Preservation Order. The site borders the Apley Woods Wildlife Site.

3.0 Application Details

3.1 This outline planning application seeks permission for the erection of 10no. dwellings on land which currently forms part of the residential curtilage of Apley Home Farm. The application seeks permission for the principle of development only with all other matters reserved for later approval.

3.2 The application site comprises a rectangular piece of land which measures approximately 1.25ha. The site comprises a two storey dwelling (Apley Home

Farm) which is situated centrally within the site and a number of outbuildings used as associated garaging and storage. There is an existing gated access off Apley Castle and it is proposed to utilise this existing access and to create a new access to serve plots 1 & 2 as shown on the illustrative site plan.

3.3 The application is supported by the following documents:

- Design & Access Statement
- Preliminary Ecological Appraisal
- Bat Survey Report
- Ecology Letter report (Ghost Moths & Bats)
- Tree Survey
- Archaeology Report

4.0 Planning History

4.1 TWC/2014/0620 – Outline application for the erection of 37no. dwellings (all matters reserved). Outline Refused 10/10/2014

The above application was refused as insufficient information had been submitted to demonstrate that the proposal would not have an impact on protected species, trees and highway safety.

5.0 Relevant Policy Documents

5.1 National Planning Policy Framework (NPPF)

5.2 The Development Plan:
Telford & Wrekin Local Plan (2011-2031)

6.0 Publicity (Summarised)

6.1 The Local Planning Authority has undertaken 3 rounds of neighbour consultation, the first in 2015, the second in 2017 and the most recent in October 2018.

6.2 First round of consultation – 12 letters of objection received:

- Potential adverse impact on pedestrian safety from those using the PRoW
- Existing problems with car parking along Apley Castle – proposed development will only exacerbate these issues
- Inadequate access and poor visibility in to the site – risk to highway safety
- Adverse impact on local wildlife being situated nearby to the Apley Woods
- Proposal will bring disturbance to the nearby Severn Hospice
- Loss of Green Network
- Application site is adjacent to the former Maxell site where permission has been granted for approx.. 500 new homes – no need for more
- Potential noise pollution to local residents from anti-social behaviour

- Adverse impact on nearby trees – some of which are protected by TPO's
- Inadequate buffer between the site and the nearby Wildlife Site
- Additional ecological surveys required to further consider the impacts of the proposed development on local wildlife
- Application site is of significant historical interest – a full archaeological survey should be carried out prior to any decisions being made
- Further development will adversely affect the character and appearance of this established residential area
- Area of woodland to the east of the site is the site of the established Forest Schools project – potential adverse impact on welfare of its users

6.3 Second round of consultation – 7 letters of objection received and 1 letter of support subject to conditions (received by the Severn Hospice). Any new issues raised are summarised below:

- Whilst the buffer zone has been increased from 10m to 20m it still falls short of the 40m secured for the adjacent former Maxell site
- Further consideration required to impact of development on wildlife – specifically bats and the potential for light pollution from new houses
- Creation of a new access will adversely affect highway/pedestrian safety
- Apley Castle is often used as pick up and drop off point for local school children as well as parking for PRH
- The Severn Hospice are concerned about existing traffic problems and suggest traffic lights be installed at the junction with A5223 as well as parking restrictions along Apley Castle

6.4 Following the most recent consultation in October 2018, 8 letters of objection were received and 1 letter of support subject to conditions however no new issues were raised.

7.0 Consultees (Summarised)

7.1 Hadley & Leegomery Parish Council: Comment

- The Parish Council recognises that the scale and layout has been substantially changed from the previous application. These changes, along with the recent Tree Preservation Orders affecting the site, have addressed many of the Council's concerns regarding the original application with regard to the potential impact on trees on the western boundary and effect of the proposed development on Apley Woods.
- An Archaeological evaluation shall be undertaken prior to the application being determined.

Following the most recent round of consultation the Parish Council objects to the application:

- The Parish Council is concerned that the proposed access arrangements are inadequate to meet the requirements of policy C4 of the TWLP. The applicant has not demonstrated that access to the site is safe/unimpeded.
- Apley Castle is widely used for parking by visitors to both Severn Hospice and the PRH which presents issues relating to the proposed new access.
- The southern boundary fence of Apley Home Farm is separated from the footway and highway by a grass verge – this is owned by TWC and has been planted with bulbs by local volunteers and should be maintained.
- Further clarification is required regarding access/management for proposed open space.

7.2 Highways: Support subject to conditions

- Details of new access
- Details of parking, turning, loading and unloading
- Construction detail of any new roads/footpaths
- Details of how the defined PRoW is to be incorporated within the development to be agreed
- A contribution of £2000 towards the implementation of parking restrictions along Apley Castle to be provided by the developer. The monies are required due to concerns over the current high levels of on-street parking along Apley Castle. Should this development come forward the Authority shall monitor the interaction of traffic directly associated with the proposed development and the parking along Apley Castle. Should an issue become apparent during the 5 years following the first occupation then the contributions shall be called upon to mitigate any issues associated with the development traffic.

7.3 Drainage: Support subject to conditions

- Scheme of foul and surface water drainage

7.4 Built Heritage Conservation: Support subject to conditions

- The development would not affect the immediate setting of the listed buildings to the east including Apley Castle (Grade II*) and the former walled garden and agricultural buildings (Grade II) due to the intervening housing developments and buffer of woodland.
- Whilst only indicative, the proposed layout plan would not adequately protect the setting of the building of local interest (Apley Home Farm) due to the morphology being of a suburban form. Any new development should closely reference the local vernacular and further consideration will be required at Reserved Matters stage.

7.5 Ecology: Following receipt of additional supporting information; support subject to conditions

- External lighting plan

- Erection of artificial nesting/roosting boxes
- Landscaping scheme
- Habitat Creation & Management Plan

7.6 Arboriculture: Comment

- If consent is afforded to the proposal, an arboricultural implications assessment shall be undertaken prior to the layout being decided.
- Tree protection and removal plan to include protective fencing details
- Landscaping plan – to include tree replacement and service plans

7.7 Archaeology: Comment

- An archaeological evaluation of the proposed development site has been completed and reported on. The report concludes that the site is generally lacking in archaeological features and deposits, although an undated bank in the north-eastern part of the site had been recently levelled up. The report concludes that the proposed development is not likely to impact on archaeological deposits other than the earthwork bank. In view of this, it is recommended that an archaeological inspection of ground works following the initial topsoil strip for the proposed development be made a condition.

7.8 Shropshire Fire Service: Comment - include Fire Authority informative

8.0 Appraisal

8.1 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
- Illustrative layout
- Other matters – access, ecology, archaeology, trees

Principle of development

8.2 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. In this instance, the development plan consists of the Telford & Wrekin Local Plan (TWLP). The National Planning Policy Framework (NPPF) sets out policy guidance at a national level and is a material consideration in planning decisions.

8.3 The development plan sets out a strategic approach to the delivery of housing in the Borough with TWLP Local Plan Policy SP1 identifying the Telford urban area as the primary focus for housing and employment development over the plan period. Policy HO1 of the Plan sets out the housing requirement it considers necessary to meet the development needs of Telford & Wrekin over

the period until 2031. Meanwhile, Policy SP4 seeks to ensure that development is sustainable by balancing economic, social and environmental objectives.

- 8.4 In this instance, the application site comprises a 1.25ha parcel of land which currently forms part of the residential curtilage of Apley Home Farm, located off Apley Castle approximately 1.5 miles north of Wellington. The nearest bus stop is located to the south-east of the site at the Princess Royal Hospital providing frequent connections (service 4, 15 and 16) to Wellington and Telford town centre.
- 8.5 Taking the above in to consideration the application site is considered to be sustainably located amongst other well-established residential developments and with good connections to the wider area. The Local Planning Authority considers this site to be suitable for new development subject to the consideration of any technical constraints.

Illustrative layout

- 8.6 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. Meanwhile the NPPF asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.
- 8.7 Whilst the application site is located amongst other established residential developments along Apley Castle, it is somewhat secluded forming part of the private residential curtilage of Apley Home Farm. The site is set back from the highway and is well screened. It is physically separated from other developments by existing woodland, forming part of the Apley Woods Wildlife Site. Existing developments at Apley Castle have been sensitively designed and finished in order to preserve local heritage.
- 8.8 Whilst it is acknowledged that the site layout plan is purely indicative at this stage, officers do have concerns that it is overly suburban in form and would not be wholly appropriate for its location. Similar concerns have also been raised by the Council's Conservation Officer who considers the illustrative layout would have a harmful impact on the setting of Apley Home Farm, a building of local interest.
- 8.9 Any new development should closely reference the local vernacular, not just in terms of materials and architectural detail, but also in terms of the built form and pattern of development, both agricultural and domestic. This would result in rectilinear building forms with gable roofs, linear terraced development or courtyard forms, a variety in scales and more clustered development allowing a greater sense of space to be retained around the heritage asset and new development. These matters would need to be addressed at Reserved Matters stage. For purposes of clarity, a condition would be included to confirm that the illustrative layout would not form part of any planning approval.

- 8.10 Notwithstanding the above, now that the scale of the proposed development has been reduced, officers consider the scale of the proposed development to be proportionate in relation to the size of the plot without amounting to any overdevelopment. Further consideration with regard to layout, scale and appearance will be required at Reserved Matters stage in order to ensure that the development of this site will not have a significant adverse impact on the character and appearance of the area or on the living conditions presently enjoyed by neighbouring properties. In principle, however, the proposal accords with policy BE1 of the TWLP.

Other matters

Access

- 8.11 Permission is not currently sought for access however this is an issue which has been raised by a number of local residents who are concerned with regards to the potential impact of the development on highway and pedestrian safety. The illustrative layout plan proposes to utilise the existing access off Apley Castle and for a new second access to be created to serve a proportion of the development.
- 8.12 The Local Highway Authority (LHA) has considered the amended plans and have confirmed that they are supportive of the proposals subject to the inclusion of conditions as detailed in para 7.2. It is acknowledged that Apley Castle is well used for parking (local schools/PRH) however the amount of additional traffic to be generated by the proposed development would not be considered so significant so as to significantly harm highway safety. Nevertheless, the LHA are requesting a financial contribution towards the potential implementation of parking restrictions along Apley Castle. As and when the application site is developed, the LHA will monitor the interaction of traffic directly associated with the proposed development and the parking along Apley Castle. Should an issue become apparent during the first 5 years, the financial contributions will be used to mitigate any issues associated with the development traffic. Accordingly, in principle, the proposal is considered compliant with policies C4 and C5 of the TWLP.

Ecology

- 8.13 The application was originally supported by a Preliminary Ecological Appraisal however the Council's Ecologist objected to the application as it was not possible to conclude from this information that the proposed development would not harm identified protected species. During the course of this application the applicant has liaised closely with the Council's Ecologist & Green Infrastructure Specialist who requested that additional surveys be carried out; specifically relating to Bats and Ghost Moths. Additional supporting documentation has been submitted by the applicant and the Council's Ecologist is now satisfied with their findings. Accordingly, the original objection has been removed and support is now offered for the proposed development subject to the conditions as detailed in para 7.5.

Trees

- 8.14 To the western edge of the site is a group of trees which are protected by group Preservation Orders. The illustrative site plan demonstrates how the proposed development could be accommodated without interfering or harming these trees. A survey of each individual tree has been undertaken and this confirms which trees are to be retained as part of the proposed development, which trees require specific tree works as well as those that are not suitable for long term retention. 11 individual trees (including Hawthorn, Willow, Lime and Sycamores) and a group of 5 Laurels have been deemed of low quality and/or value and require removing. Approximately 50 trees and 8 separate groups of trees are to be retained and managed. Subject to the inclusion of conditions relating to tree protection, replacement and landscaping, officers are satisfied that the proposal accords with policy NE2 of the TWLP.

8.15 *Archaeology*

The application site lies within the area of the supposed deserted medieval settlement of Apley and the supposed site of the first medieval Apley Castle. The remains of a possible early C17 icehouse have been found on the hill behind Apley Home Farm. In addition, metal detector finds of Roman and early medieval date have been made in close proximity to the development site. An archaeological evaluation of the proposed development site has been carried out and reported on in a report produced by Allen Archaeology. The report concludes that the site is generally lacking in archaeological features and deposits, although an undated bank in the north-eastern part of the site had been recently levelled up. The report concludes that the proposed development is not likely to impact on archaeological deposits other than the earthwork bank. The Archaeology team have been consulted and have raised no objection to the proposed development subject to a condition being included to any planning approval requiring an archaeological inspection of ground works following the initial topsoil strip for the proposed development.

9.0 Conclusion

- 9.1 This application seeks planning permission for the principle of residential development only for 10no. dwellings on land which currently forms part of the residential curtilage of Apley Home Farm. The site is located within the urban boundary of Telford & Wrekin and within an established residential area. The principle for residential development on this site is therefore supported.
- 9.2 Whilst a separate Reserved Matters application will be submitted which will consider access, layout, scale, appearance and landscaping, an illustrative site layout plan accompanies the application. Officers consider that the proposed 10no. dwellings could be accommodated on site without resulting in any overdevelopment. Subject to further consideration of layout and design, the scheme could deliver a range of new houses within a sustainable location without adversely affecting the character and appearance of the area of living conditions presently enjoyed by existing neighbours.

9.3 Following receipt of amended plans and additional supporting information, the Local Planning Authority considers that the previous reasons for refusal have been satisfactorily addressed. Subject to a range of conditions as detailed above, no objections have been received in regards to access, drainage, ecology or archaeology. Accordingly, the proposal is now considered compliant with relevant policies contained within the development plan and the NPPF and is therefore recommended for approval.

10.0 Detailed Recommendation

10.1 Based on the conclusions above, it is recommended that DELEGATED AUTHORITY be granted to the Delivery Management Service Delivery Manager to GRANT OUTLINE PLANNING PERMISSION subject to;

a) The applicant/landowner entering into a Section 106 legal agreement with the Council (with indexation applicable to contributions from the date of committee resolution to grant OUTLINE permission), terms to be agreed by the Delivery Management Service Delivery Manager, relating to:

i) Highways

£2,000 towards the potential implementation of parking restrictions along Apley Castle. The monies shall be paid upon the commencement of development and shall be held for a period of five years from the first occupation. Any unspent monies after this period shall be indexed and returned to the applicant.

b) The following conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager;

Conditions

- Time Limit – Outline
- Samples of materials
- Highways New Access
- Parking, Loading, Unloading & Turning
- Highways construction detail
- Public Right of Way details
- Foul & Surface water drainage scheme
- Archaeology inspection of ground works
- Landscaping Design
- Arboricultural implications assessment
- Trees – protective fencing
- Trees – service root protection
- Nesting/Roosting boxes
- External Lighting Plan

- Habitat Creation & Management Plan
- Works in accordance with submitted plans
- Removal of permitted development rights
- Illustrative layout not to form part of approved plans