

TWC/2017/1018

Land adjacent 4 Tunnel Cottages, Aqueduct Lane, Stirchley, Telford, Shropshire  
Outline application for the erection of upto 2no. dwellings with all matters reserved

**APPLICANT**

Wrekin Housing Trust, Martin James

**RECEIVED**

19/12/2017

**PARISH**

Stirchley and Brookside

**WARD**

The Nedge

**OFFICER** Amy Howells

**THIS APPLICATION HAS BEEN CALLED IN BY STIRCHLEY & BROOKSIDE  
PARISH COUNCIL WHO OBJECT TO THE PROPOSALS.**

**1.0 THE PROPOSAL**

- 1.1 This application seeks outline consent for the erection of up to 2 dwellings with all matters reserved on the land adjacent to No. 4 Tunnel Cottages on Aqueduct Lane in Stirchley. Full Planning consent was granted in 2007 for the erection of one detached dwelling which was not implemented. A further application for three terraced dwellings was deferred at Planning Committee and was later withdrawn. The plot has therefore remained vacant and undeveloped.
- 1.2 Amended plans have been received throughout the application process to amend the indicative layout and visibility splay to meet the requirements set out by the Council's Highways Officer.
- 1.3 The indicative block plan proposes a pair of semi-detached houses with vehicular access off Aqueduct Lane. On-site parking and turning is proposed on the most up to date amended plan to be in the centre of the site as a shared driveway. Previous plans indicated two separate driveways to the side of each plot. There would also be private gardens provided to the rear.

**2.0 SITE AND SURROUNDINGS**

- 2.1 The application site is flat and located between a row of traditional terraced properties and the 'Elms' playing field which forms part of Telford Town Park. The frontage of the site is made up predominantly of a thick roadside hedge. There is currently a gap in the hedge, which can be used as a pedestrian access to the site.
- 2.2 The site has been cleared for development in the past which was never implemented, and since then a number of trees have grown back and there are thick weeds and shrubs across the site. There is a Local Nature Reserve situated at the East of the site which forms part of the Telford Town Park.

- 2.3 There are existing residential properties on the opposite side of the road, constructed in approximately the 1970's. The application site is directly opposite the junction for Knightsbridge Crescent.
- 2.4 Aqueduct Lane is a quiet, no through road in the centre of the defined Telford urban area, and due to its proximity to the Town Park, has a relatively rural appearance despite its central location. The site is within easy access of several local centres, including Stirchley, Aqueduct and Brookside. Telford Town Centre is located approximately 2.4 miles away.

### **3.0 CONSULTATIONS**

#### **3.1 Standard consultation responses**

##### Stirchley & Brookside Parish Council: Object:

- Obstructed views over Telford Town Park
- Encroachment on green spaces and loss of amenity space for residents
- Site access and highways issues. Lack of safety for drivers along the lane.
- Trees and conservation issues
- Unsuitable development as there is no bus route serving Aqueduct Lane, no pedestrian walkway or street lighting. Not close enough proximity to schools, shops and services.

##### Highways: Initially object: Now support.

- Initially the indicative layout could not be supported as a visibility splay of 2.4m by 43m could not be achieved.

##### Following re-consultation: Support subject to conditions:

- Condition for revised visibility splay of 2m by 33m should be provided prior to commencement. Details of parking submitted to and approved in writing prior to commencement.
- Comment stating that in accordance with the Telford & Wrekin Council Local Plan a property in a suburban area such as the proposed development offering car parking for 2 vehicles we would expect the property to offer 2 bedrooms, a 3 bedroom development in that location would have to provide parking for 2.3 vehicles.

##### Drainage: Support subject to conditions:

Scheme of foul and surface water drainage.

##### Arboricultural: Support subject to conditions:

There would be no objection subject to replacement trees being planted which are more suited to the site and new site surroundings.

##### Ecology: Support subject to conditions:

- A lighting plan
- The erection of artificial roosting and nesting boxes.
- Ecological Mitigation Strategy and Method Statement.
- Requirement for tree planting along the boundary between the site and the LNR to act as a buffer.

Informatives for Nesting birds, bats, trees and disturbance of debris and rubble.

Contaminated Land (Environmental Health): Support subject to conditions:  
Contaminated land condition.

Healthy Spaces: Comment:

- Two boundaries of the site meet the Telford Town Park; the boundary abuts a Local Nature Reserve. There should be no encroachment on this boundary.
- The site also abuts a Green Guarantee Site and there should be no encroachment on this land.

Shropshire Fire Service: Comment

Recommend fire safety informative

West Mercia Police: Comment:

Recommend secured by design informative.

### 3.2 **Neighbour consultation responses**

The Local Planning Authority consulted 8 neighbouring properties. Following consultation, there have been 46 letters of objection received, raising the following issues:

#### Material Planning Considerations

- Impacts upon highway safety and the narrow lane.
- Increase in traffic the new dwellings would introduce.
- Increased parking along the road opposite the junction for Knightsbridge Crescent.
- Insufficient parking provided for each property to prevent cars parking along the road.
- Access to the existing properties (Tunnel Cottages) is already dangerous.
- Lack of ability to achieve a suitable visibility splay.
- Lack of pedestrian footpath along Aqueduct Lane. Safety for pedestrians.
- Houses will be out of keeping with current traditional properties (Tunnel Cottages) and not sympathetic to the surrounding area.
- The scale and appearance of the new dwellings would be unacceptable.
- Loss of privacy and overbearing impact upon the existing dwellings.
- Access to the Silkin Way being obstructed.
- Lack of proximity to shops and schools. Not a sustainable location.
- Fears that by allowing developers to build 2 houses, this will set precedent to allow building on fields.
- Proximity to a Local Nature Reserve.
- Proximity to the 'Elms' Playing field and Telford Town Park.
- The application cuts into a section of the Town Park.
- Drainage infrastructure in place cannot cope with existing properties and does not have capacity for any further dwellings.

- The removal of any hedges is not acceptable and would spoil the appearance of the lane.
- The hedge running along Aqueduct Lane is part of the Green Guarantee and should be protected.
- Telford has exceeded its 5 year land supply and does not need any further new houses.
- The development site contains wildlife including newts, snakes and nesting birds.
- The Preliminary Ecological Report carried out should be discarded as it was conducted at a time of year when Great Crested Newts would not have been above ground.
- The removal of trees for the proposal is not acceptable.
- Loss of green space and amenity of the area.
- Brownfield land exists elsewhere and should be utilised for housing instead.
- References made to the previous applications on the site, predominantly TWC/2015/0566, the unacceptable nature of this application and how it was rejected.
- The site is formally agricultural / garden land and should not be built on. Garden grabbing has also been raised as an issue.
- Objections regarding the planning process including the lack of display of a site notice, non-consultation of neighbours who were consulted on previous applications and discipline of council staff during the last application.
- The construction traffic to build the dwellings would be unsuitable for the lane.

A number of objections were raised which are not considered to be material planning considerations:

- Loss of view of the Town Park from neighbouring properties.
- Suggestion that the land should instead be used as an extension to the existing nature reserve or community garden land.
- The query of why houses need to be built in an area where residents do not wish further houses to be built.
- The query of why another application has been submitted when previous applications have been rejected.

## **4.0 RELEVANT PLANNING HISTORY**

4.1 Previous Planning Applications for the site include:

- TWC/2015/0566 Erection of 3no. Terraced dwellings with associated parking, landscaping and access \*\*\*amended red led line (to extend the plot) and additional information received\*\*\* Withdrawn: 21/04/2016. This application was heard at Planning Committee on 28/10/2015 and was deferred due to the submission of further amended plans. The Applicant chose not to proceed with the application following this and it was subsequently withdrawn.

- W2007/0990 Erection of detached dwelling with construction of a new vehicular access \*\*\*amended description\*\*\* Full granted: 17/09/2007. This application was granted, however was never implemented.
- W2004/1408 Residential Development (Outline). Full refused: 31/01/2005 This outline application for 3-5 dwellings was refused due to insufficient information, the site being of an inadequate size to accommodate the number of dwelling proposed without adversely affecting the character of the area and neighbouring properties, and the access not being adequate.

## 5.0 RELEVANT POLICIES

- 5.1 National guidance:  
National Planning Policy Framework Para 6: Delivering a wide choice of high quality homes, 7: Requiring good design & 11: Conserving and enhancing the natural environment.
- 5.2 Telford & Wrekin Local Plan
- SP1 Telford
  - SP4 Presumption in favour of sustainable development
  - HO1 Housing requirement
  - HO4 Housing Mix
  - BE1 Design Criteria
  - NE1 Biodiversity and Geodiversity
  - NE2 Trees, hedgerows and woodlands
  - NE6 Green Network

## 6.0 PLANNING CONSIDERATIONS

Having regard to the development plan policy and other material considerations, the planning application raises the following main issues:

- Principle of development
- Design
- Impact on Neighbour Amenity
- Highways/Access
- Ecology and Trees
- Drainage

### Principle of Development

- 6.1 Policies SP1 and HO1 of the Telford & Wrekin Local Plan indicate that the built up area of Telford should be where the majority of housing growth within the borough is centred. The site falls within Telford's urban boundary, is within the established residential neighbourhood of Stirchley and is situated within a sustainable location where there are public transport links to the wider area, local shops, schools, hospitals, recreational centres and other public facilities. Policy SP4 states that the Local Planning Authority should work in favour of sustainable development and it is considered that this development complies due to its access to services and its location within the urban boundary of the borough.

- 6.2 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.
- 6.3 Policy HO4 aims to provide every household in the Borough with an affordable, decent and appropriate home with the type, size and tenure of new and improved homes to meet local need and be delivered in a way that creates locally inclusive sustainable communities.
- 6.4 Objections have been raised by neighbouring residents and the Parish Council, indicating that the area is unsustainable to permit further housing due to the lack of services and schools within the immediately surrounding area. There are a number of primary schools within close proximity to the site, including Aqueduct Primary School which is 1.2km away, and Windmill Primary School in Brookside is 1.4km miles away. Furthermore, The Telford Park School (Secondary education) is approximately 1.2km away. The site is also in close proximity to a number of local centres, including Stirchley, Aqueduct and Brookside which are all within a mile radius of the site. There is also an adequate Arriva bus route which runs along Southhall Road where both the No. 1 and No. 2 bus service stops. This road is 300m away from the application site and is considered to be a sufficient service to facilitate the existing residents and any new dwellings.
- 6.5 Overall, it is considered that the principle of erecting a dwelling in this urban location is acceptable as it complies with the policies discussed above. In addition it is considered to be a sustainable location for new housing as it provides adequate access to shops, services, schools and public transport.

### Design

- 6.6 The proposal is for the erection of up to 2 dwellings and would see the site split into Plots 1 and 2 with shared access centrally and parking situated at the front and amenity space to the rear.
- 6.7 Policy BE1 of the Telford & Wrekin Local Plan provides guidance to assess whether or not proposals are of an appropriate design, quality and relate positively their context. It advises the Council to assist in creating and sustaining safe places, strengthening local identity and projecting a positive image.
- 6.8 The proposed dwellings as indicated on the illustrative plan would be of modest proportions in relation to the size of the plots. The original submitted design showed the dwellings situated at the front of the plot, facing the highway and level with the existing cottages. However, the visibility splay requested could not be achieved as the parking was situated on either side of the dwellings and the view was obstructed by a hedge on one side and a

fence on the other, both out of the Applicant's ownership and control. The plans were therefore amended to show the dwellings set back.

- 6.9 Local residents and the Parish Council raised objections that the new dwellings would be out of keeping with the existing. However it is considered that at this stage Officers cannot comment on these issues as information regarding design and materials are a reserved matter. Officers would ensure at Reserved Matters stage that a suitable scheme was submitted which would not be out of character with the surrounding area.
- 6.10 The site is adequate to accommodate up to 2no. dwellings with vehicular access and as this is an outline planning application with all matters reserved, details of layout, scale, appearance, and landscaping will be for consideration at a later stage with the submission of a 'reserved matters' application with the view to a scheme that would attempt to blend in with the adjacent properties. Officers are satisfied that at Reserved Matters stage, that two suitably designed dwellings that are of an appropriate scale and that would complement setting could be achieved.

#### Impact on Neighbour Amenity

- 6.11 The land for development is level, bound by hedging and fencing providing adequate screening from the highway and the residential properties that adjoin the site. The indicative site plan shows that the application site could accommodate two dwellings with access whilst still maintaining an adequate amount of amenity space and not have a significant impact on the amenities of the adjoining property, No. 4 Tunnel Cottages.
- 6.12 Despite concerns being raised by local residents regarding the revised plan and the over-bearing impact and loss of privacy this may cause upon No. 4 Tunnel Cottages, Officers are satisfied that the set back is modest. As the plan is only an indicative site plan, full consideration of design and impact on amenity would be done at Reserved Matters stage. The layout design for the current dwellings also replicates that which was approved under the full 2007 consent. Furthermore, Officers would ensure at Reserved Matters stage that the design and position of the dwellings would not impact upon the amenity of neighbouring residents and that windows would also be placed sensibly to avoid any issues of overlooking.
- 6.13 There would be a distance of approximately 30m between the front boundary of the site and the dwellings situated opposite (No. 1 Knightsbridge Crescent and No. 23 Aqueduct Lane) which is considered to be acceptable and would result in no loss of privacy to those existing dwellings.
- 6.14 Residents raised objections regarding the loss of the view from their properties. Officers acknowledge that there will be a change in outlook for the properties opposite the site, however unfortunately Officers cannot consider this as part of the proposals as there is no right to a view.

- 6.15 Overall it is considered that two dwellings can be erected on the site in a manner which will not cause any adverse impacts upon neighbouring residents.

#### Highways/Access

- 6.16 The indicative site plan shows a new access off Aqueduct Lane with adequate parking and manoeuvring space for this proposal; each dwelling would have two parking spaces which is in accordance with the guidance set out in the Telford & Wrekin Local Plan. The existing hedge on the front elevation would need to be removed to accommodate the new access, however this would only be the hedge directly to the front of the site and would not include the hedge outside of the site boundary which continues to run along Aqueduct Lane.
- 6.17 The first plan submitted was objected to by the Highways Officer as the visibility splay of 2.4m by 43m could not be achieved. The parking spaces were shown to be positioned at either side of the dwellings and there were obstructions in place in the form of a hedge on the North elevation and a fence on the South elevation. In order to achieve the visibility splay here, a section of hedge on the adjoining land would need to be removed. The hedge outside the boundary of the site is now designated as part of the Green Guarantee and is within Council ownership. It was indicated to the applicant that in order to remove this hedge, an agreement would need to be put in place with the Council for the applicant to buy the hedge. Many objections were raised by local residents and the Parish Council regarding the importance of retaining the hedge.
- 6.18 Instead the Applicant chose to find another route which would avoid crossing over third party land. An amended layout plan was submitted, and the Applicant conducted a speed survey along Aqueduct Lane to measure the speed in which people travel on average. Following the submission of the survey, the results indicated that on average residents travelled at 25mph or less, which has resulted in the Highways Officer allowing a reduced visibility splay of 33m. The Applicant has indicated on a plan that this visibility splay is achievable without the need to cross onto third party land or remove any of the hedge within the Green Guarantee and therefore the Highways Officer has raised no further objection except to request conditions be included on any decision notice for planning consent.
- 6.19 Concerns have been raised by local residents regarding the impact that permitting further dwellings will have upon the highway network, the speed of travelling vehicles and the amount of traffic the dwellings will cause along Aqueduct Lane. Officers consider that due to the results of the speed survey, that the lane is not excessively busy and people on average travel at 25pmh or less, and that the addition of two further dwellings would not have an impact on the existing road network, despite the narrow nature of the road, as it already serves a large number of houses. The number of vehicles travelling along the lane would not increase excessively as a result of erecting two further dwellings and therefore Officers do not have concerns regarding this.

- 6.20 Objections have also been raised due to the lack of footpath along the front of the application site and in front Tunnel Cottages. However the road is not considered to be busy, and the results of the speed survey indicate that people on average travel below the speed limit. The Highways Officer has confirmed they have no further objection and that there is no requirement to provide a footpath.

### Ecology and Trees

- 6.21 Despite concerns raised by the Parish Council and local residents, Officers can confirm that the site does not form part of the Green Network, Telford Town Park or the Local Nature Reserve, all of which are alongside the rear boundary of the site. There are concerns raised by neighbours that the development would be an encroachment onto the green land within the Town Park. The land does not constitute open land, would not encroach into the Town Park and is considered to be a vacant site with unimplemented planning consent.
- 6.22 A Preliminary Ecological Appraisal has been conducted and following the submission of this, the Ecology Officer has confirmed they have no objection to the proposal, subject to a number of conditions and informatives be included on the decision notice of any planning consent granted.
- 6.23 The Ecology Officer has also confirmed that some tree planting would be required along the boundary between the site and the Local Nature Reserve to act as a buffer. In addition to this, the Tree Officer has confirmed they have no objection to the proposal and that felling of some trees would be acceptable, provided a scheme was put in place to encourage re-planting in more appropriate areas of the site which fits in with the development which can be conditioned.
- 6.24 Objections have also been raised stating that the development will not be of benefit to the community, resulting in the loss of amenity for local residents and the loss of a potential community area. There is the suggestion that the land could be used as a community garden. However, Officers can only consider the acceptability of the application before them, and not alternative, speculative uses. There have been further objections raised regarding a right of way through the site which would be lost, however Officers can confirm that the site is privately owned, and no right of way exists through the site. There is a right of way directly to the North of the site which would not be affected by the proposals.
- 6.25 Officers are therefore satisfied that the principle of the development in this location is acceptable, which would not encroach upon the adjacent Green Network, Local Nature Reserve or Town Park. This consideration would be in accordance with Policy NE1 Biodiversity and Geodiversity and NE6 Green Network of the Telford & Wrekin Local Plan and the NPPF.

### Drainage

6.26 The Council's drainage department have indicated that they have no objection to the proposal and have recommended conditions in order to ensure sufficient drainage on the site. These conditions are pre-commencement and will need to be submitted before any works can commence on site. Concerns have been raised by local residents regarding the inadequate drainage facilities in the immediate area, however the Drainage Officer has confirmed they have no objection.

## **7.0 CONCLUSIONS**

7.1 The principle of the development of two dwellings on this vacant plot of land in this sustainable urban location is considered to be acceptable. The indicative layout and scale of the development demonstrates that the site can accommodate the proposed form of development with adequate parking and private amenity space. Officers are satisfied that at Reserved Matters stage, a suitably designed scheme can be designed that respects the character of the area and does not adversely impact on amenity of neighbouring properties. Issues relating to ecology, trees and drainage have been resolved to the satisfaction of Officers and can be addressed by condition. The application is therefore considered to be in accordance with Policies SP1, SP4, HO1, HO4, BE1, NE1, NE2 and NE6 of the Telford & Wrekin Local Plan and National Policy Guidance.

## **8.0 RECOMMENDATION**

8.1 Based on the above conclusions it is recommended to GRANT OUTLINE CONSENT subject to the following conditions (and any others the Officer deems necessary):

### Conditions (to be finalised)

- A01 Time limit Outline- 2 years
- A03 Time limit – Submission of Reserved Matters – 2 years
- B001 Standard Outline – all matters reserved
- B003 General Details required
- B011 Sample materials
- B30 Highways New Access
- B44 Details of parking
- B61 Foul and Surface water drainage
- B121 Landscaping Design
- B133 Tree replacement
- C014 Visibility splays
- C109 Erection of artificial nesting/roosting boxes
- C109 Lighting Plan
- Custom Ecological Mitigation Strategy and Method Statement
- C38 Development in accordance with deposited plans

### Informatives (to be finalised)

- I11 Highways

I25 Ecology Informatives  
I40 Conditions  
I44 Reasons for Outline Consent  
RANPPF1 Reasons for approval