

TWC/2018/0361

Land South of Field Gate House, 66 Back Lane, Tibberton, Newport, Shropshire  
Erection of 6no. dwellings with associated detached garages and accesses

**APPLICANT**

Days New Homes Ltd, Alan Day

**RECEIVED**

20/04/2018

**PARISH**

Tibberton and Cherrington

**WARD**

Edgmond and Ercall Magna

**OFFICER** Matthew Thomas

**1.0 THE PROPOSAL**

- 1.1 This full planning application seeks permission for the erection of 6no. four bedroomed dwellings, some with garages, on a plot of land to the south of Field Gate House, located off Back Lane in Tibberton.
- 1.2 Two new access points are proposed off Back Lane to serve the proposed development. Plot 1 will have its own private access whilst plots 2 – 6 will be served by a shared access and driveway.
- 1.3 Together with the application form and complete set of drawings, this application is supported by the following supporting documentation:
  - Design & Access Statement
  - Ecology Report
  - Tree Survey
  - Arboricultural Impact Assessment
  - Highways and Drainage Resume

**2.0 SITE AND SURROUNDINGS**

- 2.1 The application site measures approximately 0.5ha and is located off Back Lane, one of the main routes in to the village of Tibberton. Currently used as agricultural land, the site gradually slopes in an easterly direction and is bounded by a mature hedgerows and trees, some of which are protected by Tree Preservation Orders. A small pond is situated to the westernmost corner of the site however this does not form part of the application site.
- 2.2 The parcel of land immediately to the south is currently under development following the approval of planning permission for 25no. dwellings (Outline reference TWC/2014/0230, RM reference TWC/2016/1127). A separate parcel of land to the north separates the site with the closest neighbouring dwelling (No.66 Back Lane). Existing developments along Back Lane are predominately linear in form whilst elsewhere in the village development is of a higher density.
- 2.3 Tibberton is a small agricultural village, located approximately 5 miles west of Newport and is one of the settlements identified as suitable for limited infill development under policy HO10 of the Telford & Wrekin Local Plan.

Tibberton is served by a modest number of local services including a church, village hall, primary school, community-run shop and a public house.

### **3.0 RELEVANT PLANNING HISTORY**

3.1 None

### **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  
HO1 Housing requirement  
HO10 Residential development in the Rural Area  
NE1 Biodiversity and geodiversity  
NE2 Trees, Hedgerows and woodlands  
C3 Impact of development on highways  
C5 Design of parking  
BE1 Design Criteria

### **5.0 SUMMARY OF CONSULTATION RESPONSES**

#### Standard consultation responses

- 5.1 Tibberton & Cherrington Parish Council: Support subject to conditions
- Whilst the Parish Council does not welcome further development of this area, members appreciate the way in which the applicant has approached the overall design of the proposed dwellings. It is requested that the materials to be used are muted in colour to ensure they are in-keeping with the established Duke of Sutherland houses within the village.
- 5.2 Highways: Support subject to conditions:
- Parking to be provided prior to occupation of the dwellings
  - Visibility splays – 2.4m x 43m
  - A contribution of £1200 is required towards the improvements of the Public Right of Way which runs from Plantation Road to the Primary School and £3000 towards a Traffic & Speed Management scheme on the B5062. Total contribution of £4,200 to be secured via a S106 agreement.
- 5.3 Drainage: Support subject to the following conditions:
- Foul & surface water drainage – to be based on SuDS principles
- 5.4 Arboriculture: Support subject to conditions
- Landscape Design
  - Tree – services roots

- Hedge Protection
- 5.5 Ecology: Support subject to conditions
- Works in accordance with Protected Species survey
  - Erection of artificial nesting/roosting boxes
  - External Lighting Plan
  - Habitat Creation & Management Plan
  - Pre-commencement Badger Inspection
  - Informatives – Nesting wild birds, Site Clearance
- 5.6 Healthy Spaces: Comment
- Long term Landscape Management Plan required
- 5.7 Shropshire Fire Service: Comment – include Fire Authority informative

#### Neighbour consultation responses

- 5.8 No further representations received following neighbour consultation

### **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
- Scale and design of the proposed development
- Impact upon the living conditions of neighbouring residents
- Access/Highways
- Other matters

#### Principle of development

- 6.2 Policy HO10 of the Telford & Wrekin Local Plan (TWLP) acknowledges Tibberton as a suitable settlement for development where the Council will 'support a limited amount of infill housing'. Outside of these settlements development will be limited. By focussing housing, employment, service and facilities 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. The application site is located close to the core of the village and its services and facilities including a primary school, church, village shop and pub. Also, there are existing developments to the north, south and east of the site. Officers consider the proposal for 6 detached dwellings on this piece of land to constitute an appropriate form of limited 'infill' development as supported by policy HO10.

- 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.

#### Scale and design of the proposed development

- 6.4 Policies BE1 of the Telford & Wrekin Local Plan provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. This policy advises the Council to support development which will respect and respond positively to its context, demonstrating an integrated design approach and respecting its landscape setting.
- 6.5 Important visual features of the site include the pond and surrounding trees along Back Lane and together these have determined the positioning of access points in to the site. The amount of development proposed amounts to a density of 12 dwellings per hectare which is considered appropriate and in-keeping with this part of the village. Plots 1 and 2 front the highway although are set back to provide large front gardens and driveways which is found amongst other established developments along Back Lane. Plots 3 to 5 face north-westwards over the adjacent field and have been positioned as to ensure suitable separation distances with the adjacent development. Meanwhile plot 6 will provide a positive punctuation to the vista from the highway.
- 6.6 There is a variety of styles and character within the village with a mixture of mature properties including Duke of Sutherland estate cottages, new traditional and modern single and two storey buildings. There are three different house types proposed and each successfully incorporate certain features which are reflective of local vernacular including steeply pitched roofs, chimneys, exposed rafter feet or corbelled brickwork to the eaves and well-proportioned window openings. In terms of landscaping, all existing trees and hedges will be retained with the exception of two short sections to allow for the new accesses. Therefore, when considering scale and design, officers consider the proposed development will be delivered in a way which will positively contribute to the character and appearance of the village.

#### Impact upon the living conditions of neighbouring residents

- 6.7 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 are 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.

- 6.8 The closest existing neighbouring property is No.66 to the north-west of the site. This property is located approximately 40m away from the proposed development and is separated by an agricultural field. Consideration has also been given to the adjacent site to the south/south-east which is currently under construction. Officers are satisfied that suitable separation distances will be maintained to ensure mutual privacy between existing and proposed dwellings. Conditions will be included to the decision notice to ensure adequate forms of boundary treatment are provided which will further protect privacy between neighbours. On this basis, the application is considered compliant with local planning policy.

#### Access & Highways

- 6.9 Policy C5 of TWLP requires all development proposals to demonstrate that parking has been designed as integral to the proposal and be fit for purpose. Meanwhile policy C3 seeks to ensure that development will not adversely affect highway safety.
- 6.10 Two access points will be created off Back Lane to serve the proposed development. Plot 1 will have its own private access whilst plots 2 – 6 will be served by a shared access and driveway. The developer has confirmed that it their intention for the shared access road to remain private and a bin collection point has incorporated within the site layout.
- 6.11 A total of 17 car parking spaces will be provided which is slightly short of the 21 spaces required by the parking guidance contained within the TWLP. However, given the scale and configuration of the development with its own cul du sac this is not of significant concern. Subject to conditions relating to the provision of adequate visibility splays and on-site car parking prior to occupation of the dwellings, the Local Highways Authority (LHA) is supportive of the proposed development.
- 6.12 In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits and that the obligation is:
- Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.

In addition account has been 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.

- 6.13 It is considered that the requested contribution towards highway improvements would meet the above tests and the negotiation of these contributions is also consistent with local planning policies, in particular policy C3. The following contributions are to be provided by the developer:

- A contribution of £1200 towards the improvements of the Public Right of Way, which runs from Plantation Road to the Primary School, and
- £3000 towards a Traffic & Speed Management scheme on the B5062
- I.e. total contribution of £4,200.

### Other Matters

#### *Drainage*

- 6.14 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 conditions requiring a scheme for foul and surface water drainage being agreed prior to commencement of development.

#### *Ecology*

- 6.15 The application is supported by an Ecological Appraisal (prepared by Greenscape Environmental Ltd) which focusses on newts, nesting birds and badgers. The terrestrial habitat for newts was found to be poor on site however Great Crested Newts had been located in ponds approximately 160m away to the southeast. Work will follow a strict method statement to protect individual newts on site. Whilst several badger setts were found on one site boundary, none appeared to be active. The survey confirms that further checks will be carried out prior to commencement of any development. The report includes various method statements which will be adhered to and concludes that there are no further ecological constraints to the proposals. The Council's Ecologist supports these findings and has raised no objections subject to the inclusion of conditions.

#### *Trees*

- 6.16 The developer engaged in discussions with the Council's Tree Officer during the course of the planning application who is now satisfied with the proposed development subject to the inclusion of conditions relating to tree protection.

## **7.0 CONCLUSIONS**

- 7.1 In summary, Tibberton is one of the villages identified in the development plan as suitable for growth and the principle of residential development for residential development on this infill plot is therefore considered acceptable.
- 7.2 The proposed development will provide 6no. four bedroomed dwellings with adequate access, on-site car parking and private garden land. The dwellings have been designed to ensure that they are in-keeping with and respectful to its location and so as not to adversely affect the living conditions of its existing neighbouring properties. Furthermore, the development can be delivered without any significant impact on highway safety, drainage infrastructure or any adverse impact on local wildlife. Developer contributions have also been agreed for highway improvement works.

7.3 Based on the above conclusions the Local Planning Authority considers the proposal complies with the relevant national and local planning policies and recommends the application be approved subject to conditions.

## 8.0 RECOMMENDATION

8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

- A) The applicant entering in to a Section 106 Agreement with the Council for financial contributions towards:
- £1200 towards the improvements of the Public Right of Way which runs from Plantation Road to the Primary School, and
  - £3000 towards a Traffic & Speed Management scheme on the B5062.
  - All monies to be index linked from the date of committee.
- B) The following conditions (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):

### CONDITIONS

- Time Limit
- Samples of materials
- Parking delivered prior to occupation
- Visibility Splays (2.4m x 43m)
- Foul & surface water drainage
- Works in accordance with Ecology survey
- Habitat Creation Management Plan
- Erection of artificial nesting/roosting boxes
- Pre-commencement Badger Inspection
- Landscaping Design
- Tree Services Roots
- Hedge protection
- External Lighting Plan
- Development in accordance with plans
- Removal of Permitted Development