

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE

3rd July 2013

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TWC/2012/0650

Doseley Works, Doseley, Telford, Shropshire, TF4 3BX

Outline application to include access for the development of 460 dwellings with associated estate roads, infrastructure and open space

APPLICANT

Breedon Properties Ltd and David Wilson Homes Ltd

RECEIVED

21/08/2012

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

OFFICER

Kate Stephens

COUNCILLOR CLIVE MOLLETT HAS REQUESTED THE APPLICATION BE DETERMINED BY THE PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Loss of employment land, suitability of site for housing, loss of Green Network, highways and access, effect on amenity, ecology.

THE PROPOSAL:

This is an outline planning application, to include access, for the erection of 460 dwellings with associated infrastructure and open space following the demolition of the existing industrial/factory buildings and facilities on site. Access to the site is shown via the former industrial site entrance off St Luke's Road to the east of the site. Appearance, landscaping, layout and scale are reserved matters for later consideration.

The 25.6ha site is partly currently occupied as a working industrial site by FP McCann as a concrete product works with associated external storage. The site was formerly occupied by Johnstone Pipeworks and hence is previously developed or "brownfield" land.

An amended illustrative layout plan has been submitted that indicates the possibility of a second access point from the Pipeworks link road to Lightmoor Way, provided the land owner's agreement can be secured. The amended layout has also removed a central area of housing near the quarry pool to overcome concerns about contamination and ground conditions in this part of the site. This area has now been made into a much larger area of open space that has grouped together the ball court and equipped play area (and this overcomes the recreation officer's concerns about the facilities being split up) as well as incorporating drainage pools and pathways.

SITE AND SURROUNDINGS:

The 25.6ha site is located approx 3kms (2.5miles) south east of Telford town centre, and close to Horsehay village and Dawley. The new Primary school and community centre at the Lightmoor Village, with children's nursery and a row of shops (yet to be let) are located approx 800m from the site and there

are bus stops along St Luke's Road and also at Horsehay as well as buses going through the Lightmoor village.

The site is currently in use by FP McCann as a working industrial site producing concrete pipes, with extensive external storage area and some large buildings, although much of the site and some of the large buildings are no longer in use and vacant buildings are becoming derelict.

The site has no employment designation or protection in the Wrekin Local Plan or Core Strategy. The site lies within the built up area of Telford and appears as "white land" on the Proposals Map where the principle of new development is broadly supported, subject to site specific and other relevant policy issues. Land around the northern and western boundaries of the site is allocated "Green Network" on the Wrekin Local Plan Proposals Map.

Part of the south east area of the site is not currently in active use as FP McCann are winding up their operations on site. Planning permission was refused (W2006/1514) for housing on this parcel for various site specific reasons, although the principle of the proposal was not contrary to local plan policies. A northern parcel of the Pipeworks site was granted planning permission (W2007/1252) for housing and is nearing completion (Falcon's Crest)

The site is principally level in the main central part, but with areas of higher ground to the west and south, with the housing at Lightmoor at a higher level than the site. In the North West corner of the site there is a disused quarry pool with steep sided rock cliffs of columnar basalt (like the Giant's Causeway). The site benefits from some existing mature tree belts along the north and western boundaries as well as within the site. The site has also seen peregrine falcons, which are a protected species, and this increases the site's ecological value.

The site is bordered by residential development along the northern and eastern boundaries along Frame Lane and St Luke's Road and the Lightmoor Village is being built out along the site's western boundary. There is also a small industrial estate on the north east boundary. Adjacent to the western boundary is a proposed outline residential development on land at Horsehay/Lightmoor (TWC/2012/0926) which was granted outline planning permission at Plans Board on 12th June 2013, subject to a S106 agreement.

FP McCann has closed off the site's former main entrance onto St Luke's Road, although this is shown as the principal entrance for the proposed residential development, and instead uses the access road off Lightmoor Way. The owner of the access way (the HCA) has restricted traffic to commercial use only.

Adjacent to the north east boundary is the Grade II listed former St Luke's Church (now converted to a dwelling) whose bell tower is visible from within the site.

RELEVANT PLANNING HISTORY:

TWC/2010/0620 – Extension of time under s73 for the erection of 58 no. dwellings, construction of a new estate road, vehicular and pedestrian accesses and alterations to existing accesses. Granted 9/8/2011. (This is the Falcon's Crest housing development nearing completion)

W2007/1252 – Full planning permission for the erection of 58 no. dwellings, construction of a new estate road, vehicular and pedestrian accesses and alterations to existing accesses. Granted 7/12/2007 (This is the Falcon's Crest development nearing completion).

W2006/1514 – Erection of extensions to existing pre-cast works, erection of 286no. dwellings (across 2 parcels of land), creation of new vehicular/pedestrian accesses, construction of new estate roads and alterations to existing vehicular/pedestrian accesses. Refused 22.2.2007

W2004/0376 Creation of a new vehicular access, erection of new boundary fencing and erection of a new security gatehouse. Granted 27/05/2004

C2001/0005 Commission for new towns erection of a new factory unit and new office accommodation. Authorisation Under New Towns Act 21/03/2001

W77/0779 Use of land and buildings for general industrial premises. Granted 20/02/1978

Various applications relating to industrial buildings, extensions, silos etc on the site in the intervening years.

PLANNING POLICY CONTEXT:

National Planning Guidance:

National Planning Policy Framework (NPPF)

Regional Planning Guidance:

The West Midlands Regional Spatial Strategy was revoked on 20th May 2013 and is no longer relevant

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

Policy UD3 – Urban Design Assessments

Policy UD4 – Landscape Design

Policy H23 – Affordable Housing

Policy T4 – Development Principles

Policy OL3 – Green Network

Policy OL4 – Development in the Green Network

Policy OL11 – Woodlands and Trees

Policy LR4 – Outdoor Recreational Open Space

Policy LR6 - Developers Contributions to Outdoor Recreational Open Space
Provision within New Residential Developments

LDF Core Strategy
Policy CS1 – Homes
Policy CS2 – Jobs
Policy CS3 – Telford
Policy CS11 – Open Space
Policy CS12 – Natural Environment
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

Council's Arboricultural officer:

Require full arboricultural assessment, previous management plans, future management recommendations and all development impact assessments.
Further comments are awaited.

Council's Parks and Open Space:

- Parks and Open Space believe it is essential that all new developments make full provision for the infrastructure/amenities and services which they create, as new residents to the area will increase demand upon the existing recreational resource.
- The proposed development will exceed the trigger level that would require **on-site** play provision in the form of a NEAP (Neighbourhood Equipped Area for Play) - the council's approved play strategy highlights that a NEAP in this area needs to include 3 elements (equipped play for all age groups / ball court and seating / wheeled sport).
- The current layout proposes the provision of an on site LEAP (Local Equipped Area of Play) and a ball court, which would partially meet the needs arising from the development, but there is no wheeled sport included as part of this development proposal.
- An off site contribution to improving provision is accepted in principle, but there is no indication in the application of the funding to ascertain whether this can be achieved. This funding needs to be confirmed as part of the approval because the alternative is to meet this need on site.
- There is no Landscape Management plan for this large amount open space – need to confirm who will be responsible for maintenance. This needs to be agreed prior to commencement of development and should be highlighted for the overall site not just the individual landscape phase.
- The location of the ball court needs to be 30m away from properties (and the LEAP 20M).
- The LEAP element is not catering for older children and therefore needs to extend its age range through the provision of additional older children's play equipment.
- The detailed design needs to look at the safety of users of open spaces in relation to the proposed suds system (particularly in relation to Suds areas nearby children's play).
- P & OS would also like to identify the time scaled programme of proposed implementation of the provision for a LEAP / ball court included within an agreed phasing plan.

- Suggest condition to require developers not to sell any properties overlooking the proposed play provision until the play provision has been built, in order to ensure prospective purchasers are fully aware of the play provision in proximity to these properties at the time of purchase.
- There is currently a large amount of open space proposed in the outline layout and no identified proposals for ongoing management and it's not clear if the applicant wishes for the council to 'adopt' any POS or they are to set up a management company paid for by resident contributions set out in a covenant on the sale of the house – management will need to be confirmed prior to any reserved matters application and it needs to be clear as to who is to carry out maintenance duties and how this is to be financed for the long term.
- If the developer wishes the council to adopt the areas of open space, the developer will need to ensure a suitably agreed commuted sum can be provided.
- Is it possible for the quarry pond area to include recreational uses such as fishing?
- A number of obligations (as highlighted above) will require a S106 agreement to be approved. This will need to be approved prior to commencement of development and where figures are unable to be provided (as in any proposed POS commuted sum costs) a schedule of rates provided. An agreed timescale for any contributions (e.g. off site recreation contribution) will need to be agreed prior to commencement of development.

Council's Highway officer:

There is no technical reason to object to the proposal, subject to conditions requiring:-

- improvements to pedestrian footway routes and crossing points between the site access junction onto St. Luke's Road and the existing footway along Doseley Road approximately 60 metres north of the railway bridge,
 - provision of two new bus stops in the vicinity of the site access junction onto St Luke's Road,
 - traffic calming works along Frame Lane north of the site access junction onto St Luke's Road,
 - junction details and implementation,
 - a Travel Plan,
 - submit a Construction Environmental Management Plan to address construction traffic routing, etc.
- Some of the above works will need to take into account the constraints around the entrance to St Luke's Church and will require amendments to the existing traffic calming scheme which commences immediately south of the site access junction onto St Luke's Road.
 - The above recommendation does not give or imply any approval to the internal site road layout shown on the "Illustrative Masterplan" (Drawing No. MP1a Rev N) nor the geometry of the site access/junction onto St Luke's Road as indicated on the submitted Drawing No. SK001 A,

- A planning condition will be imposed to restrict construction of dwellings to a maximum of 75% of the 460 proposed while the access from St Luke's Road is the only vehicular access to the development site, with the remaining 25% of dwellings only released for construction upon the provision of a secondary access and providing that the secondary vehicular access is available for use.
- S106 contributions will be needed for a bus subsidy @ £490 per dwelling unit (total £225,400); Public Rights of Way Improvements £25,000; Travel Plan monitoring £5,000; and contributions to the western roundabout improvements - A5223/Bridge Road and Jiggers Bank Roundabouts based on a pro-rata development traffic basis (amounts yet to be agreed).

Council's drainage officer:

- No objection subject to conditions that include the following:-
- To reduce the possibility of flooding the rate of surface water discharge from the site should provide a 30% betterment on the existing rate, and all SUDS features should be designed to be capable of dealing with up to and including the 1 in 100 year storm event +a 30% allowance for future climate change and any exceedance should be directed away from properties.
- The FRA has identified a culverted watercourse passing through the site – this should be restored to open channel throughout the development and located in a strip of public open space for adoption by the council TWC subject to the agreement of a suitable commuted sum with details of easements and depths of culverts.

Council Ecology officer:

Amphibians

- Any works within 500m radius of water bodies WB7, WB8 and WB9 may potentially affect the conservation status of great crested newts. There is insufficient information provided for the LPA to answer the Habitats Regulations three derogation tests and we don't know whether the development will be detrimental to the favourable conservation status of the great crested newt population and whether a Natural England EPS development licence is likely to be granted.

Reptiles

- Being outline, the final development proposals are unknown. Once this has been established it is recommended that an impact assessment is undertaken and a mitigation strategy is compiled that incorporates all recorded amphibians and reptile species. There is insufficient information provided to ensure that these protected species will be protected from killing and injury during site works.

Badgers

- A badger report has been received, and waiting for method statement/mitigation strategy.

- Full comments are awaited, although the ecologist has advised she is generally satisfied.

Council's Sustainability officer:

- The Design and Access Statement states '*Sustainable Homes Code in line with the latest standards.*' Clarification is required where the developer should look to explain the level of code to be achieved? The development should be completed using CSH.
- CSH assessments for the scheme should be undertaken at the design stage and also at post-construction review.
- The development should be required to meet CSH level 3. Please note that CSH is updated regularly and the developer should refer to the latest version or the prevailing sustainable standards - whichever is the higher at the time of submission of reserved matters.
- Developers and designers should involve a CSH assessor as early as possible in the design process, to ensure the rating is achieved in a cost effective manner.
- Minimum proposed standards of CSH level 3, with a requirement to consider level 4 should be conditioned. If the development occurs after April 2013 then the requirement should be level 4 with a requirement to consider level 5.

Council Education:

- All primary schools within a two mile radius of the development have been considered and they are currently showing a 7.64% surplus across the area, subsequently the total primary value has been reduced by this amount.
- Our projections indicate that the primary surplus within the South West area will drop below 5% over the next two years and this triggers the requirement for a primary contribution from this development.
- We are not requesting any contribution for secondary education from this development
- The commuted sum for primary education facilities of £643,958.50 is based on 418 dwellings in line with the developer's schedule of house types.

Council's Geotechnical engineers:

- The report sent in support of this site highlighted some major constraints to development that need to be investigated and addressed prior to determination of a planning application.
Contamination
- In conjunction with Environmental Health we have some major concerns with the concentrations of methane recorded within the limited gas testing already done on site. Due to these levels we would recommended that serious consideration should be given to a long term testing regime. The Wardell Armstrong report sent in conjunction with this planning application recommends 12 months monitoring at 24 visits. A scope of this testing schedule should be sent in to the LPA for approval. The report also concludes that no residential buildings should be built on the landfill itself.

The current application layout does not adhere to this and as a consequence we recommend refusal of this application.

Note – the applicant has amended the illustrative layout and removed housing from the main area of ground contamination and made it open space.

- The report also suggests piled foundations as a solution near the landfill. Introducing a pathway directly into the property for gasses via the piles must be considered. It will be necessary to accurately assess this potential and provide a scope for mitigation measures to prevent gas build up. It is not accepted currently that gas mitigation measures are not required in the plots outside the landfill as suggested in the application. Therefore significantly more testing is required to reach this type of conclusion and the introduction of a pollutant pathway as identified above needs to be considered in the analysis.
- Asbestos is believed to exist on the site. A method statement of how this is to be dealt with will be required which should also consider the end user and the users of the site during construction.
- The soil testing is not substantial enough to draw accurate conclusions. Further testing of the whole site is required, the scope of which should be agreed in writing with the Local Planning Authority and must include recommendations for clean cover and a plan showing where this is required.
- The report also identifies that there is a potential risk to surface water that needs to be assessed further - this element may be conditioned by the drainage team separately however the assessment should also be encompassed in the general scope submitted for contamination testing.

Foundations

- There are up to 24m of made ground identified on the site. This is a substantial layer which will need to be fully investigated to determine an appropriate foundation design suitable in these ground conditions - therefore recommend a condition requiring the submission of foundation design for approval.

Slopes

- There are several slopes identified on and surrounding the site. These slopes need to be fully investigated and any planning application must be supported by a suitable slope stability analysis and any consequent stand off zones must be adhered to in any proposed housing layout.
- Some of the slopes on site form the sides to the pond feature already on site. These are recognised features of geological importance; Basalt columns, which have been awarded a R.I.G.S. status. Some acknowledgement to the status and extent of these features must be provided.

Underground structures and re-profiling

- Section 7.6 of the submitted report mentions removal of large underground structures. A method statement of how this is to be done and similarly a method statement of how the consequent development platform will be constructed is required. Confirmation on the fill type and it's method of compaction are significant.

Earthworks Specification

- The documentation indicates that earthworks will need to take place across the site – therefore recommend condition requiring submission of a comprehensive scheme for the reprofiling of the ground levels across the site.

Mining

- It has been identified that mining may be a constraint to development in part of the site. If shallow mining is identified as a constraint; a shallow mining pre-commencement condition must be applied.

Council's Environmental Health (Contaminated Land):

- The proposed development is a concrete manufacturers, landfills, quarries and in-filled canals.
- As such, recommend contaminated land condition requiring investigation and risk assessment, submission of a detailed remediation scheme, implementation of an approved remediation scheme, reporting of unexpected contamination, and long term monitoring and maintenance

Council's Environmental Health (Pollution Control):

No concerns, although this site will have noise impact on adjacent residential application TWC/2012/0926.

Council's Urban Designer:

- Generally the design and layout of the scheme has been thought through.
- Although it is acknowledged there are issues with the highways network and the potential traffic generation of this new scheme, this is a technical matter for the relevant officers to comment and make a judgement on.
- If officers are minded to approve this outline, then the various character areas presented in the D & A statement will need to be developed further into a set of Design Codes that can frame the various phases brought forward and relate then to one another whilst respecting the different form and topography of this site - could be agreed as part of this outline or be conditioned and developed between now and the various Reserved Matters applications that are to follow.

Council's Built Heritage Conservation officer:

- No objection in principle subject to the issues below:-
- As this is an outline application and therefore indicative, draw attention to the site of the Listed Church (St. Luke's) together with the Local Interest Vicarage and the Old School House which form a nice group - the adjoining proposed development should respect the setting of this group in design, scale and massing.
- In addition there is the listed bridge on the site of the Telford Steam Trust - suggest that Highways confirm that there are no issues with the additional volume of traffic in respect of the bridge, which may use this route through to the Springhill Rd. above mentioned factors.

Shropshire Council (Archaeology):

- The proposed development site is crossed by the course of a branch of the former Shropshire Canal (Shropshire Historic Environment Record

[HER] No. 03408) and the line of a tramway of late 18th or 19th century date (HER 03875), therefore archaeological remains relating to the canal and tramway may be impacted on by the proposed development.

- In view of this and in relation to Paragraph 141 of the NPPF, it is recommended that a programme of archaeological work be made a pre-commencement condition of any planning permission for the proposed development.

Shropshire Fire Service:

- It will be necessary to provide adequate access for emergency fire vehicles and there should be access for a pumping appliance to within 45 metres of all points within the dwellings. This issue will be dealt with at the Building Regulations stage of the development

West Mercia Constabulary (Crime Prevention Design Advisor for West Mercia Police):

- Do not formally object to the proposal at this time, but there are opportunities to design out crime and /or the fear of crime and to promote community safety.
- Concerns with regard to two footpaths that link clusters of houses between plots 6 & 15 and 8 & 12 - footpaths which link between housing estates can be used as escape routes and could also hide potential offenders - if the footpaths are to remain then they should be straight in design and well lit to limit the opportunity for crime to occur and will help to reduce the 'fear of crime'.
- Section 17 of the Crime and Disorder Act 1998 clearly states "It shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions of, and the need to do all that it reasonably can to prevent crime and disorder in its area".
- If this proposal gains planning approval, recommend a condition requesting the applicant should aim to achieve the Secured by Design (SBD) award status for this development, which sets standards in crime prevention for the built environment with the opportunity reduce crime by up to 75% if Secured By Design is implemented.

Shropshire Peregrine Group:

- Object unless suitable arrangements made to protect the Doseley Works as a breeding location.
- Peregrine Falcons have nested on the site - they are a protected species and it is illegal to disturb their nesting site during breeding season.
- The proposed develop with associated roads and infrastructure will disturb the peregrines that may leave the county.

Shropshire Wildlife Trust:

- The Shropshire Wildlife Trust welcomes the thorough approach to the ecological survey that accompanies this application - however would like to see this translated into a clear commitment to the retention and enhancement of the ecological interest on the site.

- The surveys have revealed significant interest and while this may be reflected to some extent in the Illustrative Master plan we remain to be convinced that sufficient areas of habitat are retained. Such areas would enable adequate levels of ecological mitigation and compensation.
- There will also need to be a commitment to the long term management of the ecological interest.
- When considering the ecological requirements for the site its setting and proximity to the Lightmoor development need consideration.

Councillor Clive Mollett:

The scale of this development is too great to be reliant solely on one access point, especially given the restricted width of St Luke's Road.

Dawley Hamlets Parish Council:

- Planning Officers should be made aware that Part 2, section 3:7 "Public Consultation" of the Design & Access Statement may be misleading. It is true to say that a number of Dawley Hamlets Parish Councillors attended the public consultation held on Wednesday 9th May 2012. However, they attended as individual councillors seeking information; they did not represent the Parish Council and no view or opinion of the Parish Council was conveyed to the applicants.
- At the time of the consultation, the Parish Council had not been apprised of the application and had not expressed a formal view. Since June the Parish Council has made attempts to meet with the agents of the applicant, but to date it has not proved convenient for the applicant's agents to attend any Parish Council meeting - it is hoped that this will be remedied at the meeting of the Council on Wednesday 19th September.
- Disagree with the agent's statement that there has been a broad level of support for the proposals (Section 3:8 of the Design & Access Statement) - the Parish Council has received numerous approaches complaining about the proposals.
- The Parish Council, at its Planning & Environmental Committee meeting of 3rd September 2012, had first sight of the development proposals and wishes to make the following, preliminary observations prior to a full review of the proposals later in the month:-
 - The main concern is the use of St. Luke's Road as the main access point. St Luke's Road leads onto Frame Lane which is, in the view of the Parish Council, most unsuitable for additional traffic.
 - The Parish Council would have preferred to see collaboration with the developers of the Bournville Lightmoor development to see access taken away from St Luke's Road and hence Frame Lane - the Parish Council has concerns over the impact yet more traffic will have on this small quiet lane.
 - Access to the site via the modern roads on the Lightmoor Estate would be far more suitable.
 - The developer does not appear to have set down where the children who will be residents will be educated, nor is there any indication of where they will receive medical assistance (doctor's surgery).

Neighbour comments:

48 letters of objection from 41 residents and local businesses (some of whom work for FP McCann) summarised below as follows:-

- Inappropriate to let 460 houses use access point on St Luke's Rd, when there is a much better access point off Wellington Rd – the feeder routes to St Luke's Rd are narrow and would not have capacity to safely carry the extra traffic.
- Splitting the traffic between St Luke's Rd and Wellington Rd or the Horsehay by-pass/Lightmoor would be better.
- Traffic along St Luke's Rd has already increased due to the Falcons Rest development.
- The infrastructure and roads around St Luke's Road and Frame Lane are already struggling with the amount of traffic and with an additional 460 dwellings using these roads, the existing roads won't cope.
- St Luke's Rd is not wide enough for a footpath and has severe width restrictions in places so the increased traffic along St Luke's Rd will make it dangerous to children walking to and from school, pets have been killed.
- Already a lot of road parking along Frame lane/Woodhouse Lane, so this will further narrow the roads making it difficult for the volume of traffic to pass safely – refuse collections are already difficult.
- Parking for nearby churchyard often on the road, which will make access difficult.
- Road already in poor condition and floods in heavy rain.
- Development will result in closure of a busy factory with redundancy of some 40 people and the adverse knock-on effect for local business and tradesmen – this is bad for the economy and the Council should be supporting local businesses.
- Where will all the new residents come from? And where will new residents work? Whilst local facilities, such as Phoenix School, health centre, childcare, may be within 20 min walk or 10 min cycle, people will get in their cars.
- Several local business operators will suffer with the closure of FP McCann as staff are their customers or they supply FP McCann with goods and services.
- Develop part of site for housing, but keep some for industrial use.
- Scale of development is too much for the area and more houses in Doseley will turn the area into yet another large housing estate – and houses are crammed in to maximise developer profits.
- Concerned about affect on the badgers and Peregrine falcons (both protected species).
- Concern about the quality of the ground as the site has been a dumping ground for waste materials over the years.
- The existing pumping station for the foul drainage is at capacity at the moment, requiring extra pumps and maintenance and any additional flows would exacerbate the problem.
- In the 1970's and continuing into the 1980's and 1990's there is evidence of landfill taking place at Doseley Works

Breedon Aggregates (commenting on behalf of landowner):

- Breedon Properties Ltd acquired the site in 2005 following their acquisition of Johnston Precast Ltd.
- That same year an option was granted to David Wilson Homes to acquire part of the site and hence planning permission was granted for housing on the northern part of the site in 2007 (now known as Falcon's Crest).
- The Johnston precast concrete business at the Doseley works was later sold to FP McCann in 2008, but the freehold ownership was retained and apparently future plans for redevelopment of the site were fully disclosed.
- FP McCann were given an option to purchase the main and central operating area not included within the David Wilson agreement, but the option was not exercised and has now lapsed.
- The operational parts of the site were leased to FP McCann for a short time period to allow them time to rationalise/relocate the business within the McCann holdings.
- A new short term lease was granted to FP McCann in 2010 which allows operations to continue for a further period whilst the outline application was being prepared and considered.
- FP McCann has been kept informed of the redevelopment proposals and the intended timetable of events.

PLANNING CONSIDERATIONS:

Principle of Development: new housing vs. loss of employment land

The site lies within the built up area of Telford, where new development is to be focussed under both the Local Plan and Core Strategy, so the principle of residential development is broadly supported. The site has no designation or protection in the Wrekin Local Plan and appears as "white land" on the Proposals Map.

The NPPF is the most up to date national policy guidance that all development needs to be assessed against, especially if existing local development plans conflict with the national advice. Paragraph 14 of the NPPF states that there is a "*presumption in favour of sustainable development*" and "*For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

The NPPF also contains twelve core planning principles from which there are some thirteen policy areas, the most relevant of which are:- Building a strong, competitive economy; Delivering a wide choice of high quality homes; Promoting sustainable transport; Requiring good design; Promoting healthy communities; Meeting the challenge of climate change, flooding and coastal change; and Conserving and enhancing the natural environment. Para 17 says that planning should *“proactively drive and support sustainable economic development to deliver the homes, business and industrial units... and thriving local places that the country needs.”*

There is no longer regional planning advice with regional housing targets for Telford, as The West Midlands Regional Spatial Strategy was revoked in May 2013. However, the Council is currently reviewing its Local Plan via “Shaping Places” and future housing targets will need to be set for the Borough. With specific regards to housing the NPPF expects Local Planning Authorities to significantly boost their supply of housing (para 47) and that *“Housing applications should be considered in the context of the presumption in favour of sustainable development.”* (para 49).

At a local level, the principle of residential development is generally supported in this location as the site lies within the built up area of Telford, as defined by the Proposals Map of the Wrekin Local Plan. Core Strategy CS1 (Homes) indicates that Telford will be the location for the overwhelming majority of new homes identified to be built over the Plan period. Similarly Policy CS3 (Telford) states that *“Telford will be focus of the Borough’s spatial development...”* and *“...will accommodate the majority of new homes, jobs and services”* and refers to Lightmoor as a major area of housing growth. Indeed, residential use has already been accepted in principle on parts of the former Pipeworks land with the grant of permission for the Falcon’s Crest development that is currently being built. A second parcel of land was refused residential planning permission on technical and layout terms but was considered acceptable in principle.

With regards the loss of employment land, FP McCann will soon be vacating the site. No part of the site is allocated or protected as employment land in the Local Plan. The site is “white land” on the local plan proposals map which means it is suitable for development in principle.

The operational decisions of the landowners and implications for FP McCann are explained in a letter from Breedon Aggregates on behalf of the landowners (see Consultation Responses section of this report). FP McCann have been aware of the redevelopment proposals and kept informed of the intended timetable of events.

FP McCann chose not to purchase the main and central operating part of the site, so the operational parts were leased to FP McCann for a short time period to allow them time to rationalise/relocate the business within the McCann holdings and a new short term lease was granted to FP McCann in 2010 which allows operations to continue for a further period whilst this outline application is considered.

Back in 2006, when residential development was being considered on 2 parcels of the Pipeworks land, the issue of the loss of employment land was considered. The Plans Board report (W2006/1514) made reference to the fact that the *“existing Ennstone pipe works does not make full and comprehensive use of the site as it did previously. Whilst some of the land around the factory could be redeveloped for employment uses, the site is poorly located away from the main highway network and due to its relationship with neighbouring residential areas does not represent an ideal location for new employment-based development within Telford, especially given that there are more preferable sites at the established industrial parks. On this basis, it is felt that the principle of residential development on this site can be accepted.”*

Officers acknowledge that the previous applications did not involve the loss of the entire employment site, and this current residential development does. Officers consider the loss of a current business on the site and the possible subsequent loss of jobs regrettable, especially in this current economic downturn. However, the Local Planning Authority cannot prevent a company deciding to close or be part of its operational and commercial decisions to do so. The historical industrial use of the site has declined in recent years and not the entire site is being actively used as part of the manufacturing business. The general Horsehay/Lightmoor area has also seen considerable change over the last decade with the grant of some 800 dwellings at the Lightmoor Village, which is an urban extension for Telford, and as such that the area has become increasingly residential.

Telford & Wrekin Employment Land Review (Draft) Telford First 2006 concludes that *“the 2006 supply of over 210 ha is sufficient to meet the net change in land demand in all use classes under all scenarios in 2016 and in 2031”* and *“there may also be scope to transfer some land from employment to non-employment land uses”*. Telford already has several large established and purpose built industrial estates in and around Telford and the Borough, such as Stafford Park, Hortonwood and Halesfield, with vacant and undeveloped plots offering a range of industrial/employment development opportunities that will continue to meet Telford’s economic base. Therefore Telford does not have an identified shortage of employment land to warrant refusing the application on employment land supply reasons.

Officers therefore contend that on balance the development of the site for some 460 houses, in spite of the site’s historical employment use, will not significantly undermine the Borough’s wider economic basis, and that the provision of houses still accords with the policy in focussing new housing in sustainable locations in line with the NPPF and in Telford in accordance with Local Plan and Core Strategy policies CS1 and CS3.

Loss of Green Network and provision of open space/play areas

The proposed development will involve the loss of some of the Green Network designation that runs predominantly around the northern and western boundaries of the site, which is designated under Wrekin Local Plan Policy OL3 and protected under WLP policy OL4 and Core Strategy policy CS11.

Land is designated as Green Network because it fulfils one or more of six defined aims, set out in para 8.2.12 of the Wrekin Local Plan. In brief, the aims are (i) to maintain Telford's image as an attractive place to live and work (ii) to retain and enhance the individual identity of different parts of the town (iii) to provide easily accessible 'green lungs' which relieve congestion and provide visual variety (iv) to provide open land to meet recreational needs (v) to protect, enhance and maintain Telford's ecological and geological heritage and (vi) to provide open space linkages through which different parts of the town can be joined.

Council planning policy OL4 does allow development in the Green Network in certain instances, provided that the development meets the criteria set out within Policy OL4 of the WLP, namely that:

- *there are exceptional circumstances;*
- *it contributes or is complementary to the aims of the Green Network;*
- *and*
- *environmental and community benefits are an integral part of the proposal.*

Core Strategy policy CS11 has a similar purpose as it seeks to protect informal and formal "*open spaces in the Borough from unnecessary development*". It identifies that "*Telford & Wrekin is characterised by its green and open spaces in both its urban and rural areas...Open spaces and countryside underpin the quality of life in the Borough*". Like saved policy OL4, policy CS11 will allow development where it can be demonstrated that "*There will be significant community and environmental benefits delivered by the proposal*". NPPF advice in paragraphs 73 and 75 states: "*Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well being of communities*".

Much of the Green Network on site comprises the heavily treed areas around the quarry pool and its cliff faces and the substantial tree belt along the western site edges that protrude into the site along some of the ridges of high ground. The main areas of mature tree belts and the treed areas of high ground are to be retained, as well as the green network around the quarry pool. The existing green network is on private land so its amenity value is more contributory to the wider adjacent swathes that surround the nearby Lightmoor and any views of it (the trees) are incidental in the wider landscape setting.

However officers consider that there are some exceptional circumstances to justify the loss of some of the green network in this instance. By developing the site, the green network becomes publicly accessible and can be enjoyed at close quarters by all residents. There will also be pockets of informal open space around the site and sustainable drainage (SUDS) ponds and channels constructed on site that will be attractively landscaped to provide attractive informal recreation and amenity areas for the public and residents to enjoy. The public footpath that runs across the southern boundary of the site and links into Lightmoor will be resurfaced and overgrowth cutback and incorporated into informal open space with new housing nearby overlooking it

for increased surveillance. The footpath route that crosses the site will now become an attractive routeway along the landscaped SUDS water channels to link to the public right of way that runs along the southern edge of the site, mentioned above. Also the layout of the site and location of its open spaces has deliberately opened up views of the listed St Luke's Church and its bell tower, which is set above the site and forms a local landmark.

In addition, the more formal open space provision includes a ball court and equipped play area, with a network of footpaths around this area and the adjacent SUDS ponds. The on-site play provision should have included some form of wheeled sport. However, the recreation officer is prepared to accept a commuted sum of £50,000 that will help complete works to the off-site national BMX track at the Phoenix School. These equipped play areas will enhance children's play provision in the area as well as giving the Borough a first class BMX facility of a national standard that will help put Telford on the map.

Officers consider that despite some loss of green network, the retention of the remaining green network, the making of these areas more publically accessible, the additional provision of formal and informal open space across the site with landscaped SUDS ponds and channels and enhanced public footpath links across the site will have wider community benefits than the existing provision, which is privately owned and not readily enjoyed by the local community. Therefore whilst there is some policy conflict with policies OL4 and CS11, the loss of parts of the Green Network will be off set by the wider community benefit arising from the overall improvement to the quality and type of open space that will continue to contribute and be complementary to the aims of the Green Network and Open Space policies in the Local Plan and Core Strategy and the NPPF guidance.

The half ball court will need to be sited at least 30m away from the nearest property boundary in any reserved matters application, and the LEAP 20m away. Also the range of play equipment will need to be expanded to cater for a range of ages, but this can be conditioned. The developer has yet to confirm whether it will employ a management company for the maintenance of the public open spaces and play facilities, or whether it wants the Council to adopt them. The S106 can be worded to allow for either scenario, with the latter requiring the calculation of a commuted maintenance sum (to be calculated).

Highways and access

The illustrative layout shows the entire housing estate using a single point of entrance and exit onto St Luke's Road, which is the site's existing easterly access. The submitted Transport Assessment has sought to demonstrate that the proposed 460 dwellings units can all use this single access point without there being concerns about highway capacity and safety.

The Council's Highways officer has concluded that there is no technical highway reason to refuse this application and that both the access and the surrounding highway network can accommodate the proposed traffic levels

from the proposed housing estate with adverse affect on the highway. There would however need to be various off-site highways improvements along Frame Lane and St Luke's Rd, some public right of way improvements and a bus subsidy, and a commuted sum from the developer would be required through a Section 106 to pay for these works.

Officers are mindful of the degree of local opposition to the development based on highway concerns, including from the local ward councillor. Officers also acknowledge that Frame Lane and St Luke's Road are narrow in places and that at times there is congestion or obstruction. But this needs to be considered in light of the Highway officer not having an objection and the fall-back position that should the site continue as employment it could be occupied by another company without any traffic usage conditions that could result in an uncontrolled intensification of the site and traffic movements.

In discussions with the developer, officers have always maintained a desire to see the site having a second access in order to improve connectivity with the Lightmoor Village and surrounding area and give new residents easier access to facilities in Lightmoor as well as creating a more sustainable development. However, the western access onto the new Lightmoor road is under the control of the Homes & Communities Agency (HCA) and currently the access can only be used for commercial traffic. Council officers have written to the HCA advising them of the benefits of a second access. In addition the developer has had independent discussions with the HCA - it is understood there is a general willingness to try and secure a second access for the site, but at the present time a definitive agreement with the HCA has not been reached.

However, Council officers, in discussion with the developer, are prepared to grant planning permission based on the premise that 75% of the traffic from the proposed site uses the St Luke's Road access and 25% uses the second access off Lightmoor Way, if and when an agreement with the HCA is reached. A condition could be imposed that would only allow 75% of the site to be built out and served by the St Luke's Rd access point, but the last 25% could only be built out if access via Lightmoor Way is secured. Hence, an amended plan has been submitted that shows this potential second access point. Officers consider that this solution addresses their concerns about the desirability for a second access (despite there being no technical need) and also addresses local residents' concerns about traffic going through Horsehay.

In any event, Highway officers will require highway improvements in the vicinity of St Luke's Road to be carried out and there will be S106 requirements for bus subsidy (£490 per dwelling unit), £25,000 for Public Rights of Way improvements, £5,000 for Travel Plan monitoring, and contributions for the western roundabout improvements at A5223/Bridge Road and Jiggers Bank Roundabouts based on a pro-rata development traffic basis – this sum has yet to be finalised with the developer.

Ecology and trees

The proposed scheme, as shown on the illustrative masterplan and the Planning Statement, indicate that some existing tree belts and woodland areas will be retained where possible. This will aid with maintaining biodiversity and help “mature” the site. This is in general accordance with NPPF paragraph 109 (Section 11 Conserving and enhancing the natural environment) which includes references that *“The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes...; recognising the wider benefits of ecosystems services; minimising impacts on biodiversity...”*.

The Council’s ecologist was initially concerned that there was insufficient information and specific mitigation measures were required. However additional information has been submitted and the ecologist is generally satisfied, although her full comments are awaited.

The quarry pool with its geological basalt columns and wildlife will not be adopted by the Council. The applicant is likely to set up a management company that would be responsible to the on-going maintenance of the quarry pool and any such arrangement would need to include appropriate wildlife conservation measures. Both officers and the applicant have approached Shropshire Wildlife Trust to see if there are interested in its management. Members will be updated.

Generally there is no protected flora or fauna on the site that that would prevent development and which cannot be dealt with by conditions and informatives. The imposition of appropriate tree protection conditions will ensure that retained trees and woodland are protected during construction. Officers are satisfied that appropriate conditions and management strategies can ensure that the site’s flora and fauna and biodiversity can be protected in general accordance with policies OL11 and CS12 and the NPPF.

Ground conditions and drainage

There are various ground conditions relating to past uses on the site such as concrete manufacturers, landfill, quarries and in-filled canals. As a result there may be issues of possible ground contamination, landfill gas, asbestos, underground structures that will need removing, made up ground, slope stability and possible shallow mining, all of which may impact on the final site layout and foundation design.

The Council’s geotechnical engineers raised the need for further site investigations on a range of issues that may then inform the initial site layout, but which could be conditioned. However, the planning department no longer consults the geotechnical department on ground conditions and stability – this comes from the NPPF which states at para 120 *“Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”*. The site’s ground condition/stability issues have been brought to the applicant’s attention. The applicant’s agent has confirmed in writing that his client *“has taken into account appropriate advice with regards to ground stability and mining,*

including advice from the Coal Authority, and are satisfied that with the use of appropriate ground treatment and foundation design that there is no reason why the site should not be developed”.

Officers recommend the imposition of the standard contaminated land condition requiring investigation and risk assessment, submission of a detailed remediation scheme, implementation of an approved remediation scheme, reporting of unexpected contamination, and long term monitoring and maintenance as this will be monitored by the Council's Environmental Health officer.

With regards archaeology, there may be remains relating to the Shropshire Union canal and tramway and these may impact on the proposed development. In view of this a programme of archaeological work can be made a pre-commencement condition.

The Council's drainage officer has no objection subject to conditions relating to matters such as surface water discharge rates, foul drainage, restoration of culverts to open water and ensuring they pass through open land that can be adopted. A commuted sum for the adoption of SUDS features is still being discussed with the development and members will be updated.

Design and residential amenity

The NPPF has as one of its 12 core planning principles to “*secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. Another key principle is for development to “*take account of the different roles and character of different areas promoting the vitality of our main urban areas....*”. Para 56 of the NPPF advises that “*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*” WLP policies UD2 and UD3 and Core Strategy policy CS15 all seek to promote good design and good concepts of “place making” to create “*Attractive, responsive and adaptable environments in which to live, work and play and are essential to creating sustainable local communities*” (para 9.76 CS15).

Being an outline application it seeks to establish only the principle of development within broad parameters. Matters relating to the detailed design of dwellings, the position of windows and the detailed layout of the estate etc. will be submitted and considered in any subsequent Reserved Matters applications in due course. However, the agent has submitted a Design & Access Statement and Design Guide. From their analysis of the site's constraints and opportunities an indicative masterplan layout (subsequently amended to show possible secondary access) has been produced that demonstrates a mix of dwelling types can be delivered on the site resulting in a medium density of approximately 20-30 dwellings per hectare with a mixture of terraced, mews, detached & semi-detached properties as well as some apartments. Properties would be of a traditional brick and pitched roof construction, and most would be 2 storeys in height but with some three storey units at appropriate locations.

The illustrative layout plan seeks to arrange dwellings in such a way as to avoid direct overlooking and loss of privacy of existing properties ensuring adequate separation and orientation of properties. It is acknowledged that the outlook from some of the existing properties, particularly those closest to the site's boundaries, will experience a change in their outlook, but there is no right to a view. Most of the new properties along boundaries with existing properties have been sited to be side on, so as not to look directly towards existing properties and hence minimise any loss of privacy. Proposed properties along the western boundary will be separated from the new properties on the recently approved Lightmoor scheme (TWC/2012/0926) by open space that forms the eastern edge of the Lightmoor scheme.

The designers have integrated existing landscape features into the scheme by the retention of substantial swathes of woodland and mature trees, in accordance with WLP policy UD4 which expects landscape to be integrated into any design layout from the outset. This will help "mature" the development as well as serving to break up the estate into smaller areas and create discreet character areas. In addition, SUDS ponds and culverts have been incorporated into attractive landscape features around the site that will provide informal recreation opportunities for all residents.

Officers are generally satisfied that the proposed indicative layout demonstrates that a suitable design layout, with mix of housing types (apart from too many affordable apartments) and density, provision of informal open space and equipped children's play area, and a mix of road types will provide a form of development that will not be out of keeping with the surrounding existing and new housing development in the immediate area and will not result in significant detriment to residential amenity. As such the proposed illustrative layout is considered acceptable to go forward to be worked up into a detailed scheme in any subsequent reserved matters application.

Affordable housing

The applicant is proposing 25% affordable housing provision, with 80% as social rented and 20% as shared ownership. This is the same percentage across the nearby Lightmoor Village and the recently approved adjacent housing scheme at Lightmoor (TWC/2012/0926). Officers consider that the S106 clauses should include reference in the allocation of the shared ownership properties that priority is given to local residents (or those with a strong local connection) for an initial marketing period (to be agreed). The location of affordable housing is shown scattered around the site, which is the Council's preference in order to create a mixed community and an affordable plan would be required as part of the S106. However officers consider that there are too many affordable apartments shown on the illustrative layout, and that this will need to be addressed in the reserved matters.

Conclusion

The proposal involves some policy conflict with policies OL4 and CS11 due to the loss of some Green Network. Also there needs to be a balance between the loss of existing employment land with provision of new housing, both of which are promoted by local plan policies and the NPPF. Officers consider

that overall there are material considerations that make the proposed residential development on this site acceptable.

The site lies within the boundary of the built up area of Telford, where the principle of residential is broadly supported by the NPPF and Council's Core Strategy policies CS1 and CS3 that focuses development within Telford.

The loss of employment land in this location will not significantly undermine the Borough's wider economic basis as there is no shortage of employment land within the Borough and there are dedicated and protected industrial estates in and around Telford. New housing is also to be focused in Telford. This area has become predominantly residential over the last decade so that residential use of the site is compatible with the existing surrounding uses as the Lightmoor Village gets built out. Should the industrial use on the site continue, a different company could occupy it with likely issues of uncontrolled intensification, which could make it a less compatible use within this increasingly residential area. On balance the development of the site for some 460 houses, in spite of the site's existing employment use, is considered acceptable.

Officers also consider that despite some loss of green network, there are overall open space gains in the form of the retention of the remaining green network and large swathes of mature woodland; the making of these areas more publically accessible; the additional provision of formal and informal open space across the site; landscaped SUDS ponds and channels and enhanced public footpath links across the site, as well as financial contributions towards the completion of the off-site national BMX bike track at the Phoenix School will all have wider community benefits than the existing provision, which is privately owned and cannot be readily enjoyed by the local community. Therefore whilst there is some policy conflict with policies OL4 and CS11, the loss of parts of the Green Network will be off set by the wider community benefit arising from the overall improvement to the quality and type of open space that will continue to contribute and be complementary to the aims of the Green Network and Open Space policies and the NPPF guidance.

Matters relating to drainage, land contamination, ecology, archaeology, landscaping, access and roads can all be adequately dealt with by condition and the subsequent reserved matters applications.

It is therefore considered that there are material considerations in this instance that serve to justify the development, notwithstanding that there is some policy conflict.

RECOMMENDATION: Delegate to the Manager of Development Management to GRANT PLANNING PERMISSION, subject to the applicant signing a S106 agreement to provide £651,019 towards primary school education facilities in the vicinity of the development; 25% affordable housing; £50,000 towards an off-site national BMX track; bus subsidy based on £490 per dwelling unit; £25,000 for Public Rights of Way improvements; £5,000 for

Travel Plan monitoring; contributions for the western roundabout improvements - A5223/Bridge Road and Jiggers Bank Roundabouts based on a pro-rata development traffic basis (yet to be agreed), clauses to allow for either open space maintenance commuted sums or a management company and S106 monitoring of £1,000 plus £500 per covenant, and the following conditions (with delegated authority to finalise conditions and add any others that officers deem necessary):-

A01	Time limit for outline
A03	Time limit – submission of RM
B001	Standard outline – all RM
B003	General details required
BCustom	RM in accordance with...
B011	Samples of materials
B012	Sample brick panel
B045	Travel plan
B046	On-site construction
B047	Mud on road
B057	Land contamination
B121	Landscaping design
B127	Landscape management plan (15 years)
B155	Details for LEAP/NEAP
Bcustom	Foul & surface sustainable drainage
Bcustom	Exceedance routing plan
Bcustom	SUDS treatment stages
Bcustom	Restore culverted watercourse to open channel
Bcustom	Culvert easements
Bcustom	Trees – protective fencing
Bcustom	Footway/crossing point highway works
Bcustom	Install two new bus stops
Bcustom	Traffic calming works
Bcustom	Layout out access junction
Bcustom	Roads, footpaths, street lighting
Bcustom	Travel plan
Bcustom	Phasing plan
C030	Drainage done before completion
C38	Development in accordance with plans
C070	Trees – no burning
C071	Trees – soil levels
C072	Trees – materials storage
C118	LEAP/NEAP occupancy
Ccustom	Nesting/roosting boxes
Custom	St Luke's Rd access to only serve 75% of the dwellings and remaining 25% constructed only when second access via Lightmoor Way available for use.
Ccustom	Distance from play equipment
Ccustom	Level 3 code sustainable homes
D02	Domestic garages: no business use
I40	Conditions
I06	Section 106

I23a	Bat boxes
I24a	Great Crested Newts
I25b	Nesting birds (construction)
I25c	Bird boxes
I25e	Trenches
I25k	Bats and birds
I25m	Nesting birds (vegetation)
I25n	Lighting
I26	Wildlife & Countryside Act
I27	Wildlife & Countryside Act
I32	Fire Authority

TWC/2013/0207

Garages to rear of 44 & 46 Dawley Road, Arleston, Telford, Shropshire
Erection of a two storey detached building containing 4no. flats with
associated car parking and access ***** Amended plans received *****

APPLICANT

D M Tams

RECEIVED

14/03/2013

PARISH

Wellington

WARD

Arleston

OFFICER

Diane Ferriday

COUNCILLOR ANGELA McCLEMENTS HAS REQUESTED THIS
APPLICATION BE DETERMINED BY MEMBERS OF PLANNING
COMMITTEE

THIS APPLICATION WAS DEFERED BY MEMBERS TO CARRY OUT A
SITE VISIT ON 3RD JULY 2013.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Impact on residential amenity,
Character and appearance of the area and highway safety.

THE PROPOSAL: The application site was previously owned by the Council
who charged rent for the siting and use of garages. Approximately 2 years
ago the land was sold by the Council as it was not considered viable to
maintain. Presently some garages are still being used by local residents
although they have been advised they have no legal right of access.

The application is for the erection of a two storey detached building containing
4no. two bedroomed flats; two on each floor. Within the site is an informal
footpath linking Dawley Road to Festival Gardens to the south which will be
retained thorough the site. The two storey detached building will be sited to
the north/west of the site with secured car parking to the south adjacent to the
footpath. Each flat will have its own separate entrance via a gateway with a
low brick wall providing privacy and protection to the frontages and amenity
area to the rear enclosed with close boarded fencing. A communal enclosed
bin storage will be sited adjacent to the building.

The site will provide communal parking for 7 cars; separated from the re-
positioned footpath by low railings. The red boundary site includes 2 parking
spaces at the entrance to the site adjacent to Dawley Road. These parking
spaces are existing and used by the local residents.

SITE AND SURROUNDINGS:

The site is approached via a narrow access drive off Dawley Road and
currently houses 8 single detached garages spread sporadically around the
site, bounded by hedging and serving 4 properties. It opens out into a piece

of land housing 8 single detached garages which are dated built of corrugated iron and spread sporadically around the site; In addition an informal public footpath crosses the site linking Dawley Road to Festival Gardens. The land ascends to the south and is untidy due to lack of maintenance since the Local Authority sold the land. Some of the residents of adjacent properties still use the garages and have created informal access points from their own gardens. The site is bound by trees and hedging providing screening for the adjacent properties.

The immediate properties are mature semi-detached dwellings which include chimneys, flat roofed canopies above the front doors and white upvc windows and doors. They are within reasonable sized plots with established landscaping.

Local shops are within 155m and a local school about 400m from the site. Several bus stops are located along Dawley Road providing links around Telford.

Wellington district centre is approx 1.5miles distance with mixed uses and good transport links.

PLANNING HISTORY:

PE/2013/0174 – Proposed residential development

PLANNING POLICY CONTEXT:

Core Strategy:

CS1 Homes

CS9 Accessibility and Social Inclusion

CS15 Urban Design

Wrekin Local Plan:

H6 Windfall sites in Telford & Newport

UD2 Design Criteria

National Planning Policy Framework (NPPF)

CONSULTATION RESPONSES:

Wellington Town Council: No objection in principle but enquire about loss of parking spaces and alternative parking for residents in Dawley Road

Highways: Support subject to conditions relating to parking, loading, unloading and turning and informative on legal agreement for any changes at Dawley Road.

Drainage: Support subject to conditions relating to foul and surface water drainage, soakaway test or alternative method of disposal.

Ecology: Support subject to informatives regarding Nest boxes, Lighting, and Enhancement planting.

Building Regulations & Planning Manager: Support subject to informative on.
Fire Safety Guidance

Rights of Way: No comment

Cllr A McClements: Objection on the grounds of

- Safety issues along footpath/narrow lane
- Noise & visibility – overlooking other properties
- Not appropriate access for emergency vehicles.

Following neighbourhood consultation four letters have been received.

3 object on the following grounds;

- Loss of parking on Dawley Road
- Residents will park further along Dawley Road which will lessen visibility for oncoming traffic
- Increase of traffic along the narrow lane/footpath raising safety issues
- Noise pollution from new residents and frequent use of lane
- Loss of access from the land to rear garden
- Loss of value to property
- No objection to single property on site.

1 supports the application but has concerns about lack of privacy to their rear garden and the limited access to property during construction period.

PLANNING CONSIDERATIONS:

Principle of Development:

The site is allocated as 'white land' in the Wrekin Local Plan and can therefore be considered for residential development in accordance with CS1 of the Core Strategy and 'saved' policy H6 of the WLP. National Planning Policy Framework advises that 'housing applications should be considered in the context of the presumption in favour of sustainable development' with an emphasis on developing previously used sites before greenfield.

A bus route and bus stops are within close proximity of the site; local shops with a convenience store are within 155m from the site and a local school within 400m of the site. The site is considered to be within a sustainable location suitable for residential development. In addition the site will provide appropriate affordable homes complying with the fundamental principle of policies CS1 and CS9 of the Core Strategy and 'saved' policy H6 of the WLP.

Site Layout and Design:

The existing site ascends north to south by approximately 2 metres. The proposed new building will be sited on raised ground levels at the north end of the site and the ground levels to the south reduced. The building plots following follow the building line, and will be south fronting, overlooking a the communal car park with communal amenity at the rear of the building,

following similar pattern to that adjacent to the site. Consideration was made during pre application discussions towards a building at the end of the road front; acting as a definitive stop to the highway, however due to site constraints including the footpath the proposed building sits along side the existing dwellings, respecting the character of the surrounding area.

The building will house 4 flats, 2 on each floor. A central flat roof porch will provide entrance to the flats at first floor level; the flats on the ground floor will have their own private entrance.

Flats 1 and 4 will have private amenity areas directly to the rear accessed from bedrooms; flats 2 and 3 will have private amenity areas further behind these which will be accessed along the side of the building.

Following a request to consider the characteristics of the immediate neighbouring properties and surrounding area, amended plans were submitted reflecting these were submitted with a roof pitch at 45°, inclusion of chimneys, flat roof canopies over the entrance doors and artificial stone head and cills to windows and doors. The design of the building will therefore compliment the adjacent properties and visually enhance the existing site.

An enclosed bin store area will be sited to the side of the site enclosed with close boarded fencing.

The site is within a residential estate where gardens join back to back. The proposed building will be located between no. 44 Dawley Road and 4 Primrose Grove. No. 44 Dawley Road is the nearest adjacent property to the proposed works; however it has no principle windows on the west side overlooking the site and the proposed development will not impact on the 45 degree guidance as a distance of approximately 14m from the principle windows on the front southern elevation is achievable. Other properties are a reasonable distance away, therefore in terms of loss of light there is no significant detrimental impact to surrounding properties.

It is accepted that there will be an increase in noise levels once the flats are occupied; however it is anticipated that these levels will not be excessive to the point of having a detrimental impact on the amenity of these two properties that currently experience normal day to day noise of the immediate neighbouring properties.

A small single bathroom window is proposed on both side elevations at ground and first floor levels. These windows can be conditioned to be obscure glazed and fixed to ensure privacy. There are windows at first floor level at a distance between 7 to 9m from the northern boundary looking towards the gardens of 44 Dawley Road and 4 Primrose Grove; however these existing gardens are both splayed and do not run directly back to back with the proposed site; there is existing hedging and several trees along the northern boundary which will lessen any impact and any approval can be conditioned to ensure landscaping is maintained.

There is scope to bring the proposed building slightly forward; however the scheme aims to get a balance of front and rear amenity space with a frontage enclosed with a brick wall and gate to create a kitchen garden in line with adjacent properties. On balance it is therefore considered that the siting and design of the building will not have a detrimental impact on the amenities of the adjacent neighbouring properties in terms of overlooking.

The use of this site within an existing residential area is considered appropriate for residential development and will compliment an otherwise untidy area of land which serves no importance as it currently stands.

The proposed development is therefore considered to comply with policy CS15 of the Core Strategy and 'saved' policy UD2 of the WLP.

Highways

The site is approached via a narrow lane; the surface of which is uneven. The Design & Access statement reads that the surface of the existing access drive will be improved. A condition can be attached to ensure this is the case. The lane is a private road and will remain as such; therefore if any future residents wish to make use of the Council's roadside bin collection service they would need to take their bins to the kerbside on Dawley Road.

At the entrance to the site, adjacent to Dawley Road are existing parking spaces; the original scheme involved new curb lines and footpaths within these areas; however following concerns by residents about the loss of these parking spaces and comments from Highways stating they did not support the changes as it would involve an arduous legal process the applicant has submitted amended plans with the parking spaces and alignments remaining as existing. This lessens any impact on existing parking for residents along Dawley Road.

The lane is currently used by local residents to gain access to the garages within the site. It is not considered that the proposed development with 8 communal parking spaces will have a detrimental impact on the amenities of local residents as the increase in traffic will not be significant. Furthermore the application will provide sufficient on site parking facilities, and will not have a significant impact with the displacement of vehicles currently using the site,

Manual for Streets specifies emergency vehicles should be able to serve properties within 45m; from the site entrance at Dawley Road a distance of 45m takes you to the front end of the communal parking therefore this criteria can be met.

Concerns have been expressed about the loss of the footpath within the site which is well used and provides a link to the local shops and schools. The footpath is not part of the adopted highway network being an informal route with no highway status. However, the application plans show a definitive footpath route within the site linking the estate from Dawley Road. It will be bound by low railings to provide a safe route through the site for local

residents. Officers considered this will provide a safe and secure route rather than the informal approach which currently exists.

Landscaping

The site has the benefit of trees and established hedging on all boundaries, the applicant has stated that the trees will remain where possible and any lost during construction will be replaced. Conditions can be mitigated to ensure retention and replacement along with details of all hard and soft landscaping. This is considered acceptable.

Ground constraints

The site is within a coal mining area which may contain unrecorded coal mining related hazards therefore an informative can be added to ensure that the Coal Authority are contacted if any coal mining feature is encountered during development Land contamination, and drainage, slope stability, .. To ensure satisfactory drainage, and alleviate risk of flooding, conditions will be mitigated to ensure a sustainable drainage scheme is set in place before occupation. The issue of slope stability has been addressed with the proposed levelling of the land. Therefore it is considered that land can be adequately developed without any land constraints.

Conclusion:

The proposed development is within a sustainable location suitable for residential development. The development will provide appropriate mix of housing types within this locality and the scale design and appearance is considered acceptable within the site and responds well with the immediate surrounding area. The development is not deemed to have a detrimental impact on residential amenities or highway safety; the proposal will ensure the informal pedestrian route is retained and natural surveillance provided. In addition the site can be adequately drained and remediated from past uses. Therefore the proposed development complies with both local and national policies.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

A04	Time
B11	Samples of materials
B62	Drainage
B64	Soakaway Test
B65	Soakaways more than 5m
B121	Landscape Plan
B133	Tree Replacements
BCustom	Details of railings, secure footpath
BCustom	Details of access road surface finishes
C13	Parking, loading, unloading and turning
C074	Tree Protection
C38	Development in accordance with plan Nos.

D08 Windows secure glazing

Informatives

I11	Access
I17	Coal Authority (Standing Advice)
I25	Nest boxes, Lighting, Enhancement Planting
I32	Fire Authority
I40	Conditions
I41	Reasons for Grant of Permission

REASON FOR APPROVAL:

The proposed development is within a sustainable location suitable for residential development. The development will provide appropriate mix of housing types within this locality and the scale design and appearance is considered acceptable within the site and responds well with the immediate surrounding area. The development is not deemed to have a detrimental impact on residential amenities or highway safety; the proposal will ensure the informal pedestrian route is retained and natural surveillance provided. In addition the site can be adequately drained and remediated from past uses. Therefore the proposed development complies with both local and national policies.

TWC/2013/0297

Land off Edgmond Road, Newport, Shropshire

Outline for residential development of up to 85 residential units with associated infrastructure and access, all other matters reserved

APPLICANT

Gladman Developments Ltd

RECEIVED

22/04/2013

PARISH

Chetwynd, Newport

WARD

Edgmond, Newport North

OFFICER

Tim Williams

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Housing need and supply in the Newport area, principle of housing development in this location, highway and traffic issues, surface and foul water drainage, other infrastructure issues, open space and play provision, ecology and Habitats Regulation considerations, presence of Tree Preservation Orders.

THE PROPOSAL:

This is an outline application with all matters other than the means of access (appearance, landscaping, layout and scale) being “reserved matters” for consideration at a later stage via a separate application(s). The application is accompanied by an Illustrative Masterplan showing the approximate location of buildings, routes and open spaces.

The application is applying for permission for the following:

- Up to 85 houses, of which 35% would be Affordable Homes;
- Highway and associated infrastructure works, including pedestrian links;
- Formal and informal Public Open Space including a Locally Equipped Area of Play;
- Wildlife corridors and retained hedgerows; and
- On site water attenuation feature.

Proposals initially put forward for some community allotments have been removed as Newport Town Council have indicated they would not be interested in taking on land for such purposes. Likewise, proposals to upgrade the footpath across the site to a bridleway have been considered unworkable and therefore no longer form part of the proposals.

The application site extends to an area of 5.4 hectares. As outlined in the Design and Access Statement the proposal is based on a number of parameters relating to the proposed land use, quality and zones of development and potential height of the buildings. A Framework Plan has been prepared and is submitted as a separate drawing for the application.

The Framework Plan seeks to set out the design principles and strategy for the site.

This shows the residential developable area (excluding public open space) is 3.35 hectares. Overall, the density of the residential element (excluding strategic public open space provision) would be around 25 dwellings per hectare. The Illustrative Masterplan indicates the eastern half of the site would be at a higher density of development to the western half.

The remaining 2.05 hectares are envisaged to be used for both formal and informal recreation, the bulk of which is shown on the Framework Plan as being the most westerly field within the application boundary. A proposed mixed age equipped play area of 0.05 hectares is highlighted at the eastern end of the site adjacent to Chetwynd Road.

The primary vehicular access is proposed to be taken off Edgmond Road (B5062) with secondary access routes within the site. The Illustrative Masterplan shows pedestrian access could be created through the proposal site connecting Chetwynd Road with the public footpath in the west, through a series of informal public open spaces. The proposed development retains and enhances the existing hedgerow boundaries and established vegetation around the site.

As indicated in the Design and Access Statement, the housing types could be delivered with a range of property types, to include; 4-5 bedroom detached houses; 3 bedroom semi detached; and 2 - 3 bedroom town houses. The masterplan proposes residential development of no more than 2.5 storeys in height.

The applicant states in their Affordable Housing Report that the precise package of affordable housing will be a matter for negotiation to be resolved prior to determination in response to fine grained evidence of need and specific local priorities, however, the following mix, comprising 30 units concentrates on 2, 3 and 4+ bedroom houses.

The same report outlines how the affordable housing would be of a sufficient size to comply with the Homes and Communities Agency's HQI standards – not only on minimum floorspace but also in terms of the internal arrangement of that space and any other appropriate standards. Affordable units would be distributed about the site in small clusters of 6-12 units in order to strike a balance between the need to minimise distinctions of tenure on the one hand and the need for cost effective management on the other.

With regard to delivery of the houses, the applicant has indicated that subject to permission being granted and with regard to market conditions, around 25 - 50 market dwellings would be completed per annum. The affordable housing often takes places simultaneously alongside the market dwelling completions. Therefore they anticipated that the development of the site would take in the order of 3-5 years to complete.

The 'associated infrastructure' in the application description is also likely to include a pumping station and electricity sub station, the details of which would be provided for in any reserved matters application.

The application has been submitted with the following documents in support of the proposals:

- Planning Statement (including S106 Heads of Terms);
- Site Location Plan, Illustrative Masterplan, Framework Plan and Topographical Survey;
- Design and Access Statement;
- Transport Assessment (with Stage 1 Safety Audit) and Travel Plan;
- Flood Risk Assessment;
- Ground Investigation Report;
- Phase 1 Desk Study report in relation to past uses of land;
- Utilities Appraisal and Infrastructure Report;
- Noise Assessment;
- Air Quality Assessment;
- Socio economic report;
- Ecological Appraisal and Great Crested Newt Survey;
- Habitats Regulation Assessment;
- Arboricultural Assessment Report;
- Landscape and Visual Impact Assessment;
- Statement of Community Involvement;
- Affordable Housing Report;
- Archaeological Desk based Assessment;
- Agricultural Baseline Report; and
- Energy Strategy;

The development has been screened for the purposes of Environmental Impact Assessment (EIA). Telford & Wrekin Council has confirmed that the development does not require an EIA.

Prior to submission of the proposals the applicant engaged in pre-application discussions with Council Officers through a Strategic Application Workshop meeting. There has been engagement with the local community on the proposals with the outcome of this exercise being provided in the Statement of Community Involvement.

Whilst this report concerns the application at Edgmond Road, it is also noted that this application is one of five major applications submitted to the Council in the last 2 years seeking consent for residential development in and around Newport. In addition to the Edgmond Road site, these are as follows:

- Outline application for up to 285 dwellings at Wellington Road (TWC/2011/0821), granted;
- Outline application for up to 215 dwellings at Audley Aveune (TWC/2011/0827)planning committe resolution to grant subject to signing of a S106 agreement;
- Outline application for up to 350 dwellings north and south of Station Road (TWC/2011/0871) as part of a mixed use development, still under consideration and not yet presented at board; and
- Full application for 34 houses at land to rear of Maynards Croft (TWC/2012/0211)approved and on site under construction.

SITE AND SURROUNDINGS:

The site is located within the boundary of Newport Town Council and Chetwynd Parish Council. The proposed development site covers approximately 5.4 hectares and is located to the south of Edgmond Road on the edge of the built up area of Newport. The site lies 400-800 metres to the north west of Newport town centre. As indicated on the Wrekin Local Plan Proposals Map, the site lies adjacent to the north west of Newport's Conservation Area.

The site comprises of four fields that are dissected by existing hedgerows and a detached property (Ingleside). The fields are undulating in nature and the fields in the east of the proposal site have a bowl shaped topography at a lower level than Edgmond Road. The western fields are sloping in nature and are locally mounded. The site is oblong in nature going outwards from the edge of the existing built up area of Newport in a north westerly direction.

Given that property of Ingleside forms a wedge into the application site, the site can be described in two parts, that to the west of Ingleside and that to the east. The western part of the site is bounded by open land to the north, west and south. The eastern part of the site has large detached properties on elevated land to the north on the opposite side of Edgmond Road that are set in substantial grounds with large groups of trees. To the south of this end of the site are a range of property types and build structures, including residential single two storey properties, horse livery stables, static caravans and TFM Farm and Country Store. At the far east of the site adjoins existing dwellings along Chetwynd Road which runs northwards out from the Newport town centre.

There are a number of hedgerow and mature trees on site, some of which are covered by Tree Preservation Orders. These being a mature Lime tree in the middle of the site to the east of Ingleside and an number of Pine trees in the south eastern corner of the site. There are no ecological designations within or adjacent to the proposal site.

The proposal site is well connected to Newport and Edgmond via Chetwynd Road and Edgmond Roads respectively. The town centre and primary schools are located approximately 400-800 metres from the proposal site which equates to a 5-10 minute walk. Wider connection via the A41 are approximately 1.2km from the proposal site. There are no bus stops along Edgmond Road itself although the nearest one is 150 metres south of the proposal site along Chetwynd Road.

There is only one public footpath located within the proposal site which runs northwest to southeast across the westernmost field within the application boundary.

PLANNING HISTORY:

There are no previous planning applications that have been made on the land subject of this application.

PLANNING POLICY CONTEXT:

National Planning Policy Framework

Saved Wrekin Local Plan policies

Policy NR6 – Waste Disposal and Recycling facilities

Policy UD2 – Design Criteria

Policy UD3 - Urban Design Assessments

Policy UD4 – Landscape Design

Policy UD5 – Public Art

Policy H9 – Location of new housing

Policy H10 – Scale of new development

Policy H22 - Community Facilities

Policy H23 – Affordable Housing

Policy T22 – Planning Obligations

Policy OL6 – Open Land

Policy OL12 – Open Land and Landscape – contributions from new development

Policy OL13 – Maintenance of Open Space

Policy LR4 - Outdoor recreational Open Space

Policy LR6 – Developer contributions to outdoor recreation open space provision within new residential developments

LDF Core Strategy policies

Policy CS1 – Homes

Policy CS6 – Newport

Policy CS7 – Rural Area

Policy CS9 – Accessibility and Social Inclusion

Policy CS10 – Community Facilities

Policy CS 11 – Open Space

Policy CS12 – Natural Environment

Policy CS13 – Environmental Resources

Policy CS15 – Urban Design

SUMMARY OF CONSULTATION RESPONSES:

Policy

Housing supply: The Council refutes any suggestion that the borough has a shortfall in its five-year housing land supply as required by the NPPF.

Delivery against plan target for Newport, according to the latest Annual Monitoring Report (2013) figures, against an overall requirement of 420 dwellings for the seven year period (at 60 dwellings per year) between 2006-13 a total of 266 dwellings had been built in Newport, an average of 38 completions per year. This leaves a shortfall of 154 dwellings to be completed by 2016 to meet the policy target of 600.

A number of applications have been submitted that will, if delivered, boost housing supply in Newport beyond the 2016 end date of the core strategy. By taking into account the dwelling numbers for those sites with permission but yet to be built, including dwellings currently not started or under construction (including Edgmond Road), this would produce an overall total of 764 dwellings up to April 2013. If the number of dwellings built between 2006-13 are added on this gives an overall total of 1,030 dwellings.

This figure (1,030) is clearly in excess of the 600 figure identified in Core Strategy policy CS1 and, at face value, raises questions regarding the potential for over-supply of new homes compared to the adopted core strategy. However, these numbers are different, one relating to 'permissions' (1,030) and the other relating to 'completions' (600). The key question, therefore, is will the level of permissions granted up to 2013 (and taking into account the Edgmond Road application as well) lead to the completion of an unacceptable number of dwellings by April 2016 over and above the number identified in policy CS1.

The policy view is that, for a number of reasons, this is unlikely to happen even if development is commenced on all these sites prior to April 2016. Firstly, as explained above, the delivery of new homes in Newport is currently in a shortfall position in comparison to the projected annual completion rate (approximately 60 dwellings per year). This means that some 334 dwellings need to be completed in the period April 2013 to March 2016, an average of 112, simply to deliver the policy figure and address the shortfall currently evident. This is a significant increase on the completions trend 2006-13 identified above (38 dwellings/year). Secondly, the potential for build out of those sites with planning permission would suggest that a significant exceeding of the policy figure is unlikely by 2016.

By applying the suggested build out rates put forward by applicants, and by making a broad estimate of delivery on smaller sites, it is considered that approximately 660 dwellings might be completed by April 2016, an excess of 10%. However, this figure is considered somewhat optimistic bearing in mind that only two of the major sites in Newport have full planning permission and so are ready to begin development (TWC/2011/0334 – Audley Road) and TWC/2012/0211 – Maynards Croft). All other major sites are subject to permission in outline only, with no reserved matter applications received to date.

Consequently, for the current plan period 2006-2016, it is considered that development levels for Newport are unlikely to significantly exceed the planned level of development up to 2016. As explained above, it is accepted that the figure for the number of permissions does currently exceed the plan figure, but it must be understood that because one of the figures is 'permission' based and the other is 'completion' based this means they are different in nature and so they should not be compared on a 'like for like' basis. This is important to bear in mind as the policy relates to delivery, or completions, rather than simply additional permissions.

Thirdly, if the level of future development is projected forward beyond the current plan period in line with the emerging local plan (2011-2031), in effect to include those dwellings remaining to be built out on these sites (including proposals at Station Road currently in abeyance), then that is likely to follow the broad trajectory of 60 dwellings per year up to 2031. The completions to date would therefore be taken into account in the future planning of development in Newport.

Meeting local housing need (affordable housing)

The affordable housing statement states that 30 affordable homes (at 35%) will be provided, albeit six of these are proposed as 'intermediate', in line with policy CS6 of the core strategy and the evidence of need identified in the Strategic Housing Market Assessment (2008).

Overall, in terms of planning policy as it relates to housing, the policy team considers the proposal to be accordance with policies CS1 and CS6 of the Core Strategy.

Highways - Support subject to conditions.

The proposed access to the site is indicated outside the existing 30mph limit. The access is shown with visibility splays commensurate with a 30mph zone and the plan is annotated to suggest the extent of the speed limit will be extended to the west towards Edgmond. There is no objection to this but it should be noted that this will need a new Traffic Regulation Order and should be reinforced by a new gateway feature.

No objections in principle to the proposed access into the site but the frontage footway/cycleway should be taken into the site at which point it would switch on road within the site. On the subject of the cycleway there would be some advantage in taking a route into the site in the south eastern corner to join the designated on road sections along Chetwynd Road. The Illustrative Master Plan suggests this would be possible.

The design of the new mini roundabout at the junction of Chetwynd Road and Edgmond Road should ideally be accompanied by a Stage 1 Road Safety Audit (subsequently supplied by the applicant and accepted in principle by Highways).

Highways is concerned about the scale of development in Newport particularly with regard to the impact on the local highway network. As a result of the 4 large applications that were lodged in 2011 the LHA proposed a strategy for pooled planning gain contributions. This took account of all the new developments that were known at the time. This site was not considered as there was no proposal to bring forward development on this land. The site will have an impact on the wider highway network over and above what has previously been considered. Therefore a contribution will be sought, based on trip impact, towards the highway infrastructure. The Applicant was made aware of this but has not covered this in the TA.

Similarly the LHA has sought contributions towards enhancements to the local bus services in and around Newport. This site would benefit from those enhancements but is probably too small in itself to make a full contribution so would therefore suggest this site enhances the infrastructure in the immediate area.

Having regard to the above comments there are no objections in principle to the proposals subject to the following matters being required by planning condition:

- Highways details for the layout proposed but also to include details of footway/cycleway links into the site from Edgmond Road and Chetwynd Road;
- The new site access priority junction;
- The new mini roundabout junction between Edgmond Road and Chetwynd Road;
- The new traffic management gateway feature on Edgmond Road, west of the access in the vicinity of the property known as Ingleside, and to include the extension of the 30mph zone;
- Two new bus stops on Edgmond Road; and

- Details of the Travel Plan for the development .

The highway infrastructure for the new mini roundabout, gateway feature and any tie in with existing footway/cycleway facilities will need to be covered by S278 Highways Act (1980). The gateway feature will require a change to the 30mph zone and will need a TRO.

The development will be required to make the following financial contributions through S106 agreement

- Off site highway infrastructure - £47,755.24;
- Public transport improvements - £10,000;
- Travel Plan monitoring sum - £5,000.

Drainage – Support subject to conditions (updated response).

The proposals to utilise oversized pipework for attenuation of the 1 in 100 yr +30% event raises future adoption issues as (although disputed by the applicant) it is unlikely that Seven Trent Water will adopt systems with capacity over the 1 in 30 yr event. A fully piped system will not provide any benefits from a water quality point of view. For this reason the detailed design of the site should include above ground attenuation within areas of Public Open Space to be adopted by Council upon receipt of an appropriate commuted sum. Suggested condition reflects this requirement and other drainage related matters.

Parks and Open Spaces – Comment.

The proposed development will reach the trigger level that would require on-site play provision in the form of a LEAP (Local Equipped Area for Play). The current layout proposes the provision of a LEAP which is acceptable in principle, subject to agreement on the design. Request condition to require developers not to sell any overlooking properties to the proposed play provision until the play provision has been built.

The current layout may have a considerable impact on the Lime TPO tree which could potentially require its removal. Furthermore issues of shading from existing vegetation on the southern most boundary can impact on layout. This issue needs to be a consideration within any subsequent reserved matters application should it be successful in outline.

There are large areas of public open space (POS) proposed and there is no open space management strategy / plan supplied as part of the outline application. A management plan must be provided which provides detail on the management and financing of the proposed open spaces. The Council are willing to potentially adopt open space subject to design and securing an appropriate commuted sum for maintenance within a S106. However, without the final design the actual commuted sum cannot yet be provided until this detail is known. As such both the S106 and management plan need to allow for an alternative acceptable sustainable route for long term management should the Council not adopt.

Affordable Housing – Support subject to conditions.

35% affordable housing is required, to be secured by an appropriate Section 106 Agreement. Of this provision, 80% should be for Social Rent with 20% for Shared

Ownership. The mix of house types and sizes is to be agreed formally with the Council prior to the commencement of construction. The affordable homes should be built in clusters of 6-8 dwellings and fully integrated with the remainder of the development. The affordable homes should be constructed to meet the Design and Quality Standards of the Homes and Communities Agency (HCA). They should also achieve Level 3 of the Code for Sustainable Homes.

The allocation of the affordable homes is to be made through 'Choose Your Homes' – the local choice-based lettings system. Priority for the shared ownership homes are to be given, in the first instance, to residents of Newport or people who have a strong local connection with Newport (subject to meeting housing need and affordability criteria). A Local Lettings Plan is to be prepared by the affordable housing provider for agreement with Council, prior to the allocation or sale of any of the affordable homes.

Education – No objection.

Given the number and type of dwellings we would seek a contribution towards education facilities in the vicinity of the development. This contribution has been adjusted to account for affordable housing. A proposed contribution of £120,172 for towards Primary School provision and £82,279 towards Secondary School provision has been calculated as being required to mitigate the impact of this development on Education provision within Newport.

Arboriculture - Support subject to conditions.

There is a mature Lime tree which stands in the centre of the site, the tree is subject to a preservation order. The proposed location for the tree within the Illustrative Master plan is in the corner of a piece of open space grassland with access roads constructed to the north and west.

This masterplan layout is not supported as it will place undue pressures upon the tree which up until this time has grown within an open field for all of its life. It stands to contribute to the amenity of the proposal for the foreseeable future it has a high biodiversity and ecological value. If the proposal is to progress the layout in this area will need to be reconfigured, the tree will require an equilateral space beneath its canopy especially if the Council are to adopt the open space in the future as it will place an ongoing maintenance burden upon ourselves.

If consent is afforded to the proposal a number of tree related conditions will need to be imposed.

Sustainability – Comment.

There are some very positive sustainability aspects of the residential development, for example the development is being built to Code for Sustainable Homes (CSH) Level 3. Taking this into account it is recommended the standard of CSH level 3, should be conditioned.

Ecology - Comment.

An Extended Phase 1 Habitat Survey was undertaken in October 2012. The site was surveyed again in January 2013 to ensure the site had not undergone any significant changes since the first survey.

Two mature trees, T1 and T2, contain features suitable to support roosting bats. T1 is a small-leaved lime with several failed limbs and a dense covering of ivy. T2 is a mature alder which contains a woodpecker hole. Building B1, a small corrugated iron structure, is not suitable for bat roosting. The tree lines and hedgerows provide potential foraging and commuting habitat for bats, although these haven't been subject to survey.

There is one water body on the site (P1) and four water bodies within 500m of the site (P2 to P5). Following the HSI assessment, great crested newt surveys were carried out on P1 and P2. The surveys found no evidence of any great crested newts in either of the two ponds. It can therefore be reasonably considered that great crested newts are absent from the site. Neither of the two streams bordering the site were considered suitable to support otters or water voles. The site is considered to be of low value to reptiles due to a lack of suitable habitats.

The woodland, trees and hedgerows provide potential nesting habitat for birds, although only a small number of common bird species were recorded during the survey. No evidence of badger setts or foraging activity was recorded on or around the site.

Tree, hedgerow and scrub removal shall take place between September and February to avoid nesting bird season, otherwise a suitably qualified ecologist will check the vegetation for nests before removal.

Using a Habitats Regulations Assessment Screening Matrix the proposed development will not have any significant direct or indirect impacts on the Midland Meres and Mosses Phase 2 Ramsar site. A full Appropriate Assessment is not required and a Statement to that effect has been prepared. This concludes that there is no legal barrier under the Habitat Regulation Assessment process to planning permission being granted in this case.

A number of conditions and informatives are recommended to be attached to any permission granted.

Environmental Health (Pollution Control) – No objection.

Environmental Health (Contaminated Land) – Support subject to conditions. The proposed development is for a development of residential properties. The site investigation has recommended further works. I would agree with these and recommend that a land contamination condition be imposed, should permission be granted.

Conservation – Comment.

There are no Listed Buildings, Local Interest Buildings or Scheduled Ancient Monuments located directly within the site area but there are some Listed Buildings on adjoining sites. The site also lies at the tip of the Newport Conservation Area and Edgmond Road forms one of the principle routes into Newport NW and therefore the setting of the Conservation Area will be a material consideration.

The overall density is still greater than that of the immediately adjoining sites which are largely rural and open spaced in feel, but the reduction in density does bring it closer to the level of the developments to the north eastern along Forton Rd.

The site is relatively close (less than 150m) to Chetwynd Deer Park, to the north, which is a Historic Park and Garden, formally registered upon that list and therefore a designated heritage asset. The setting of such sites is clearly important and landscape here is a vital characteristic, so any precedent set by too densely placed housing schemes may be problematic, it is noted that density at this end is reduced and the use of the public park does help to offer a suitable buffer.

Conclude that in its current form the development would not adversely affect the setting. The detailing/materials of this development, when submitted, will be clearly important.

Urban Design Officer – Comment.

Although it is not always possible to have a definitive position on landscape and urban design, the following would indicate that there is a need for a re appraisal of the scheme or grounds for refusal. Given the recommendations of the Landscape Sensitivity and Capacity Assessment this indicates conflict with the following:

- NPPF paragraph 109: The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils;
- Core strategy Policy CS 11 - Open Space: policy seeks to protect and enhance areas of open space, both formal and informal;
- Core Strategy Policy CS 15 - Urban Design: The design of development will assist in creating and sustaining safe places, strengthening local identity and projecting a positive local image. It will positively influence the appearance and use of the local environment. Further guidance on design, including objectives of urban design, will be provided by supplementary documents.
- WLP Policy OL6 - Open Land: The Council will protect from development locally important incidental open land within or adjacent to built-up areas where that land contributes to the character and amenity of the area, has value as a recreational space or importance as a natural habitat.

Severn Trent Water - No objections to the proposals subject to the inclusion of a foul and surface water drainage condition.

Environment Agency – No objection to the proposed development. With regards groundwater contamination we would anticipate development of this site to pose a low risk to controlled waters. The proposed site investigation works to be carried out alongside the geotechnical investigation will help to confirm this. The proposed development is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Maps. A number of Conditions and informatives are recommended to be attached to any permission granted.

Natural England – This application is in close proximity to Newport Canal Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. The protected species survey has identified that the following European protected species may be affected by this application: bats and great crested newts. Standing advice provided with regard to advice on survey and mitigation requirements.

Archaeologist - The proposed development site may have been partly occupied by the site of post-medieval brickworks, identified by an archaeological desk-based assessment of the development area. Groundworks associated with the proposed development may impact further on archaeological remains and deposits on the site associated with the wall and the former brickworks. It is recommended that a programme of archaeological work be conditioned.

Shropshire Fire Service - As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

West Mercia Constabulary - No objection.

Local consultation and representations

Newport Town Council – Object with reasons summarised below:

- Only one access and egress on to this busy road, on which it is perceived that traffic travels at excessive speeds, is also used by many commuters and is often congested at peak times is portrayed as inadequate and dangerous, and raises a major concern for traffic management in the area;
- It is also contrary to the adopted Planning Principles of this council which state we are against building on Green Space;
- The affordable housing element of the development is considered to have been addressed and probably provided for with the current applications approved and awaiting a start;
- Members questioned the number of Affordable Homes required and consider the numbers quoted are Borough Wide and not necessarily appropriate to Newport. 'Affordable Housing in Newport' should be retained for Newport Residents;
- Concerns regarding the potential for flooding, and the impact on the existing sewage, water and electricity supply with the continued submission of large scale developments which are saturating the town at present; and
- Local Plan should be completed before seeing more applications for housing.
- Members wish to acknowledge and commend, that this is the first application which has addressed the use of non fossil fuel elements of energy saving and reduction of CO2 emissions.

Kynnersley Parish Council – Object.

We fully support Newport Town Council and the Save Newport campaign in their attempts to preserve the character of Newport as a market town. The site in question is a "gateway" to Newport and as such sets the tone for the historic town centre.

The building of 85 houses on this site will detract from the view of the period properties in the area that are typical of the town character. Telford and Wrekin Core strategy gives a target figure of 600 new houses for Newport in the years 2006 - 2016 we understand that this figure has already been well exceeded with a further 3 years left to run.

The proposed access to the site onto the B5062 will cause further problems in an area that already experiences congestion during peak times and is also a known accident black spot. Increasing traffic numbers on this section of road will result in further accidents and congestion.

The field in question currently provides a valuable wildlife corridor from the surrounding countryside and whilst of low agricultural value is of great value as a site of ecological diversity.

National planning guidance favours the development of brownfield sites in preference to Greenfield development such as this. As you are aware there are already a number of brownfield sites that are currently undeveloped within the town, we strongly believe that these sites should be fully developed before any further greenfield sites are even considered for development.

Partners in Save Newport Campaign – Object.

The period for the adopted Core Strategy runs from 2006 to 2016. Within the CS, the target number of houses for Newport over the 10 year period is 600. At present, the total for the number of houses approved is already in excess of 20% above the target figure with over 3 years still to go to the end of the CS plan period. The Inspector strongly advised that T&W should undertake, in effect, a full Strategic Housing Market Assessment in order to be able to provide robust data so that the CS (now Local Plan) for the period from the end of 2016, properly reflected housing need and numbers. On the basis of the above (i.e. the fact that approved applications are already considerably in excess of the target figure by some 20%), we ask that no further applications for greenfield sites are submitted to T&W Plans Board until such time as a Local Plan has been issued for public consultation and approved following public examination by an Inspector.

Newport and District Civic Society – Object.

Support the views of Newport Town Council Planning Committee as outlined above.

Newport History Society – Object.

After providing a commentary on the historical details of the site suggest that a full archaeological investigation of all the fields should be organised; taking in:

- the prehistoric lake site, log boats and possible jetties
 - the brick kiln in Brick kiln meadow
 - the stone foundations found in 1971
 - the extent of Chetwynd End habitation at the easterly edge of these fields
- further investigation with Anglo Saxon experts on the northerly boundaries of Plaesc.

Telford and Wrekin Local Access Forum – Support subject to conditions.

No objection as long as the public footpath route is retained at the minimum status of footpath and the developers should consider, if they wish to have cycle use an upgrade to bridleway status. All new routes in the site should be of a multi-user standard and have full access to those who have disabilities/reduced mobility.

Local residents

The Council has received over 95 representations from local residents objecting to the application. From the responses received the issues/concerns raised in relation to the application are summarised below:

- Site is on greenfield land outside of the defined boundary of Newport and in rural area. It is not designated for housing;
- The site extends outwards from Newport to Edgmond and this increases the coalescence between the two settlements which should remain separate;
- Proposed development is not necessary as the Local Plan target of 600 houses up to 2016 has been met by other recently granted permissions that should be built before any other consents are granted on greenfield sites. No further housing (other than on brownfield sites) should be permitted until the new Local Plan has been publically examined;
- Area is rich in wildlife, is eco diverse and acts a wildlife corridor into town. The proposal will have a negative impact on wildlife and the ecology within the site;
- Loss of valued landscape and visual amenity that is considered important from within Newport and coming into the Town. Site is an area of tranquillity. Plans go against own Council report on Landscape. Proposals will change character of Newport and have a negative impact on Chetwynd Deer Park;
- Impact on highway safety; Edgmond Road is already congested and an accident black spot and this would be made worse. Impact on visibility from Ingleside property compromised. New access would impact on cycle route;
- Local amenities in Newport such as medical facilities and schools already stretched and new homes would add to that problem;
- Development will have detrimental impact on the amenity of adjoining properties in terms of noise, loss of privacy and light pollution;
- Part of site at low level and at risk of flooding as is Edgmond Road.
- Issues with drainage capacity;
- New houses would be shaded by adjoining vegetation;
- Density of scheme too high;
- Agricultural land should be preserved;
- No demand for houses proposed, not enough jobs to support new housing; and
- Affordable houses will be bought by buy to let landlords.

PLANNING CONSIDERATIONS:

Housing need and supply in the Newport area

Background to housing policy for Newport in the adopted Core Strategy

With regard to housing provision, Core Strategy Policy CS1 (Homes) states that *'Newport's local housing requirements will be met by approximately 60 new*

dwellings per annum'. Core Strategy Policy CS6 (Newport) states that 'Development will be limited to that required to meet local needs, including those of its rural hinterland, and to support the town's regeneration. New housing development will be expected to deliver affordable housing to the level of 35% of all such development'.

The Core Strategy for Telford and Wrekin covers a 10 year period from 2006 to 2016. In this respect the total number of houses envisaged to be provided over that period to meet Newport's needs is 600 (60 per annum x 10 years).

By way of background to the 60 new dwellings per annum figure in the Core Strategy the following commentary is relevant. When the Core Strategy was submitted for Examination in Public it pinpointed that the delivery of affordable housing was the critical determinant of the housing strategy proposed for Newport. The evidence to support such an approach was derived from documents such as the Housing Needs in Telford and Wrekin (2004) and it's Summary Update (2005).

The housing needs analysis identified that 22 new affordable households per annum would be required in order to meet identified local needs within Newport. As such, an overall level of development of approximately 60 new dwellings per annum would be required, with an affordable housing contribution of 35% from new residential development to meet the identified need. It should be noted that this level of affordable housing would not address the existing backlog of affordable housing need in Newport, due in part to the fact that no new affordable homes had been provided in the period 2001 to 2005, beyond the provision of 14 closed care dwellings in 2005.

The preferred development option for Newport prepared by the Council for the Core Strategy Examination proposed a balanced provision of new dwellings. Delivery whilst marginally above the rate of new household formation was deemed to be both realistic and have the potential to make a significant contribution towards meeting the identified need for affordable homes. The need for affordable housing in Newport was identified as the second highest in the Borough.

The Inspector's report following the Examination in Public endorsed the Council's approach regarding the quantum of housing to be delivered in Newport over the Core Strategy period (60/pa). The Inspector enhanced the policy wording with specific reference to the proportion of affordable housing required of new housing development at 35% in accordance with Policy CS6 (Newport) such was the importance of this aspect.

In relation to the major applications submitted in Newport over the last 2 years as outlined at the start of this report, the Policy Officer commented that since the Core Strategy was adopted in December 2007 an update of the Strategic Housing Market Assessment (SHMA) has been prepared by the Council in 2009. Along with other more recent evidence (collated from the Telford & Wrekin's Choice Based Lettings scheme, together with profiles of the existing affordable housing stock, the current housing market and the population of Newport) the SHMA supports the continued need for a high level of affordable housing provision in Newport and shows that this need has in fact increased over the last decade. The rise in property prices, together

with consistently low incomes and difficulty in obtaining mortgages even when house prices have fallen has led to the current situation where local people, particularly young couples and families, have left the town to find accommodation elsewhere or remain in overcrowded and unsuitable accommodation. There are also many older people who need alternative accommodation.

In particular the SHMA, updated in 2009, now shows that 124 affordable dwellings are required each year over a twenty year period to meet the needs of Newport residents. This is considerably higher than the 22 affordable dwelling need shown in the 2005 Housing Needs Summary Update and takes into account the lack of suitable existing provision and the backlog of need.

It was clear through the Core Strategy process that 35% affordable housing provision would only address a proportion of the affordable housing need in Newport. In reality, in order to meet the backlog of affordable need in Newport as well as newly arising need, a greater percentage would have been required. It is also clear from the 2009 SHMA that since the Core Strategy evidence base was produced, the need has increased and the affordable housing shortfall has worsened. It is therefore essential to achieve 35% on each of the Newport proposals in order to help meet identified needs and enable local households to remain in the area. In this regard the Planning Committee has only agreed to the applications at Wellington Road (TWC/2011/0821), Audley Avenue (TWC/2011/0827) and Maynards Croft (TWC/2012/0211) being permitted on the basis all provided 35% affordable housing.

Expectation of greenfield development in Newport

Objections to this application raise the availability of brownfield provision within Newport and the associated desirability of building on such sites in preference to a large greenfield site. The general preference in favour of brownfield development over previous years is acknowledged and is still encouraged in the Core planning principles of the National Planning Policy Framework. Indeed the delivery of housing during recent years has largely been on brownfield sites in Newport.

The Inspector presiding over the Examination of the Core Strategy considered a range of housing delivery options for Newport including concentrating development on previously developed land within the current built up area which equated to approximately 25 dwellings per annum. Whilst this option provided a number of advantages including the use of brownfield and under utilised sites, a number of disadvantages were identified. These being that it *“would not achieve the necessary levels of affordable housing, since urban sites would commonly fall below the threshold size for affordable provision”* (para 3.47). As will be highlighted in this report, monitoring over the first 7 years of the Core Strategy has indicated that this has appeared to be the case.

It was also noted by the Inspector that: *“Moreover, if focussed on the town centre, pressure for housing could displace other uses and thus diminish rather than support the role of Newport as a market town.”* (para 3.47). Furthermore, remediation costs associated with the redevelopment of brownfield sites are often cited by developers in justifying a lower level of affordable housing on the basis of the effect a higher level has on viability.

The Inspector acknowledged the option of 60 dwellings per annum would ultimately entail extensive use of greenfield sites in Newport and this was quantified as being *“the most likely to achieve the required level of affordable housing.”* (para 3.47). Furthermore, the Inspector highlighted that because Newport is not as well-provided with brownfield opportunities as Telford that *“a higher proportion of greenfield development may be unavoidable if the proposed dwelling numbers are to be achieved in Newport.”* (para 3.49).

It is therefore concluded from the above paragraphs, as well as monitoring evidence regarding the under delivery of affordable houses over the last 7 years (as to be described below), that there are sound planning reasons why greenfield sites need to be used for residential development in and around Newport.

Delivery of housing and affordable housing in Newport to date.

In the consideration of the determination of the large scale planning applications submitted in Newport, including this one, it is necessary to establish what residential development has already taken place and is committed, as this will assist in gauging housing need and supply in Newport.

Data recorded as part of the Annual Monitoring Report (AMR) prepared by the Council represents the key source of information as to the number of dwellings built, as well as what is likely to be built through permissions granted or in the process of being granted. Application of the Core Strategy policy of 60 additional dwellings per annum commenced in 2006, setting a target of 420 additional new dwellings to 31st March 2013. Headline figures from the AMR work for the years between 1st April 2006 and 31st March 2013 (7 years) are set out below. It should be noted that the figures for included for the 2012-13 year are internal calculations and have not been formally published yet by the Council as the AMR for this reporting year is not due to be finalised until December 2013.

- A total of 266 dwellings have been completed against the aggregated target of 420.
- Between 2006 and 2012 only 14% of the dwellings built were classified as Affordable Housing, set against the target of 35%.
- Houses under construction during the 2012-13 monitoring period totalled 20 dwellings.
- The number of dwellings where permission has been granted but work had not been started was 444.
- Where the Council has made a resolution to grant permission (Audley Avenue) this would provide a further 215 dwellings upon the grant of consent.

The data above highlights that for the 2006 - 2013 monitoring years there exists a shortfall of 154 completed dwellings (266 minus 420) against the aggregated target of 420 (60pa X 7 years). In short there has been a serious under delivery of housing in Newport between 2006 – 2013 both in terms of number of dwellings completed and permitted but, even more importantly, in relation to the delivery of affordable dwellings (14% compared to target of 35%). Rolling forward the aggregated target of 600 dwellings for the 10 year period of the Core Strategy (2006 - 2016) the target is for a further 334 dwellings to be completed by 2016 (600 minus 266).

Consideration of housing supply and demand in Newport to 2016 and beyond

As outlined above, a number of applications have been submitted that will, if delivered, boost housing supply in Newport beyond the 2016 end date of the core strategy. By taking into account the dwelling numbers for those sites with permission but yet to be built, including dwellings currently not started or under construction, this would produce an overall total of 764 dwellings up to April 2013. This figure includes the current application under consideration at Edgmond Road and its estimated delivery is highlighted as a trajectory on Table 1 at the end of this report. The trajectory is set against the current shortfall and a continuation of the 60 dwellings per annum figure.

If the number of dwellings built (266) between 2006-13 are added on this gives an overall total of 1,030 dwellings. This figure (1,030) is clearly in excess of the 600 figure identified in Core Strategy policy CS1 and, at face value, raises questions regarding the potential for over-supply of new homes compared to the adopted core strategy. However, these numbers are different, one relating to 'permissions' (1,030) and the other relating to 'completions' (600). The key question, therefore, is whether the level of permissions granted up to 2013 (and taking into account the Edgmond Road application as well) lead to the completion of an unacceptable number of dwellings by April 2016 over and above the number identified in policy CS1.

Officers consider, for a number of reasons, this is unlikely to happen even if development is commenced on all these sites prior to April 2016. Firstly, as explained above, the delivery of new homes in Newport is currently in a shortfall position in comparison to the projected annual completion rate (approximately 60 dwellings per year). This means that some 334 dwellings need to be completed in the period April 2013 to March 2016, an average of 112, simply to deliver the policy figure and address the shortfall currently evident. This is a significant increase on the completions trend 2006-13 identified above (38 dwellings/year) but is considered feasible given previous annual building rates seen in Newport in the 1990's.

Secondly, the potential for build out of those sites with planning permission would suggest that a significant exceeding of the policy figure is unlikely by 2016. By applying the suggested build out rates put forward by applicants, and by making a broad estimate of delivery on smaller sites, it is considered that approximately 660 dwellings might be completed by April 2016, an excess of 10%. However, this figure is considered somewhat optimistic bearing in mind that only two of the major sites in Newport have full planning permission and so are ready to begin development (TWC/2011/0334 – Audley Road, and TWC/2012/0211 – Maynards Croft). All other major sites are subject to permission in outline only, with no reserved matter applications received as of June 2013.

Consequently, for the current plan period 2006-2016, it is considered that development levels for Newport are unlikely to significantly exceed the planned level of development up to 2016. As explained above, it is accepted that the figure for the number of permissions does currently exceed the plan figure, but it must be understood that because one of the figures is 'permission' based and the other is 'completion' based this means they are different in nature and so they should not be

compared on a 'like for like' basis. This is important to bear in mind as the policy relates to delivery, or completions, rather than simply additional permissions.

A consequence of permitting a number of separate sites is not only that the total number of houses being permitted meet the current shortfall in delivery up to 2016, but also there will be completions beyond the current Core Strategy period because of build out rates going beyond 2016. It is therefore necessary to consider the post 2016 housing situation in relation to the applications under consideration, when the Core Strategy period comes to an end.

Work is underway within the Council to put a new Local Plan in place over the next 2 years and the Council is referring to this plan as "Shaping Places". It is proposed this plan will set out the spatial development vision, objectives and strategy for the T&W Council area, with borough-wide policies for different forms of development and key site proposals.

In setting out where new homes, jobs and green spaces are to be located and how areas across the Borough should develop to meet the needs of residents, employees and visitors up to 2031, the Shaping Places plan will need to take account of any significant planning permissions in place.

Preparation of a new Local Plan is not normally a reason to delay consideration of planning applications. Whilst "prematurity" can be a material planning consideration, government guidelines and case law indicate that this should not be viewed as such, unless relevant plans are very close to completion, in particular where they are submitted for examination; this is not the case with the Shaping Places plan as it is at the earliest stage of development.

With regard to the Core Strategy, the overriding reason identified by the Inspector for reducing the plan period of the Core Strategy from 2021 to 2016 related to the capacity of the Strategy to provide adequately, and with the necessary flexibility, for new housing development. The principal issues behind this step relate to Telford centric issues – in the form of the ability of the Strategy to provide 'flexibility' for the highest growth levels proposed in the then emerging Regional Spatial Strategy (a Telford led issue); and also the requirement for a review of green space with specific reference to the Green Network (again a Telford led issue). There was however, an element of reasoning cited by the Inspector towards Newport:

"The recommended reduction in the timespan of the Core Strategy to 2016 would enable the basis of the housing strategy in Newport and the rural areas to be reviewed in line with its success in the early years, and to be strengthened, or otherwise amended, if necessary. But the change [explicit requirement 35% affordable housing in Newport] is necessary from the outset." Also that "The recommended reduction in the timespan of the Core Strategy to 2016 would allow an early review to include relevant policy on the basis of the forthcoming Strategic Housing Market Assessment together with the results of monitoring of housing development in the early part of the plan period."

Taking forward the Inspector's line in reviewing the position for affordable housing, it is clear from monitoring evidence between 2006 and 2013 as described above that

delivery in the early years has been weak. There has been both a shortfall in the achievement of 60 dwellings per annum, and fundamentally, a significant shortfall in the required level of affordable housing (between 2006-12 only 14% of housing completions were classified as Affordable Housing). In preparing housing needs evidence further to the 2005 Housing Needs Survey Update, the Strategic Housing Market Assessment (SHMA) 2009 update derived a level of affordable housing need in Newport far higher than the earlier evidence suggested, in part reflecting inclusion of backlog need (quantified as 124 affordable dwellings requirement per annum).

At this stage, the local planning authority is not in a position of identifying a revised policy position on the basis of revised evidence of need in the form of the 2009 SHMA (this evidence needs to be revised to account for forthcoming updated population projections and will form part of the evidence base for the new Local Plan). The mix of up to date quantitative and qualitative evidence provided by the Policy Officer in respect to of the consideration of earlier applications (Wellington Road and Audley Avenue) does however identify that the level of need for affordable housing in Newport remains high, and indeed has been exacerbated by failure to deliver further provision at the level (35%) required by Policy CS6 (Newport).

The need for the provision of 35% affordable housing is paramount. In the absence of a readily available evidenced alternative strategy for Newport, continuation of this target level of development defined by CS1 (Homes) as requiring 60 dwelling per annum is deemed to be the most appropriate option in order to deliver anywhere near the level of affordable housing required locally. Housing completions by consents issued now that are not constructed before April 2016 can be taken into account in the future planning of development in Newport as the new Local Plan is prepared and comes into effect.

In accepting that the continuation of the target level of development defined by CS1 (Homes) beyond the end of the current Core Strategy can be considered appropriate, the housing trajectory in Table 1 shows how the 60 dwellings per annum aggregates beyond 2016. Table 1 also highlights the homes that could be delivered by the Edgmond Road proposals in addition to those at granted consent or are subject to a resolution to grant (including Maynards Croft, Wellington Road and Audley Avenue) as they would be built out over a number of years. This indicates that by 2022-23 the number of dwellings being sought by the various permissions would equate to the level of housing of the 60 dwellings per annum by that date.

Of the total provision, Affordable Housing Officer has suggested 80% to be Rented Social Housing dwellings and the remaining 20% in Shared Ownership unless otherwise agreed with the Council. Receipts from the disposal of any Shared Ownership dwellings to be recycled and used for the provision of further affordable housing.

Other measures to secure the most appropriate provision would include the need for affordable housing to be provided throughout the development and not left to the latter stages and also that the houses are delivered in small clusters. In order to match provision to local need a mechanism to ensure lettings are prioritised to Newport area based residents should also be agreed.

It is considered that the above position is consistent with the National Planning Policy Framework which outlines what Local Planning Authorities should do ‘*To boost significantly the supply of housing*’ (paragraph 47). The NPPF also states that “*Housing applications should be considered in the context of the presumption in favour of sustainable development.*” (paragraph 49).

With regard the three dimensions of sustainable development that give rise to the need for the planning system to perform a number of roles, one of the dimensions is a social role. This is defined as follows:

a social role – *supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;*

Furthermore, it is considered that the proposed development accords with one of the NPPF’s Core planning principles that the planning system ought to play, this being:

‘proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities’

Also with regard to the NPPF, the proposed range of housing size, type and tenure in the application would contribute to the creation of sustainable, inclusive and mixed communities advocated in paragraph 50.

Principle of housing development in this particular location.

Location of the site outside of the existing built up area of Newport.

The application site is located outside of the built up area around Newport as defined in the adopted Proposals Map (originating from the Wrekin Local Plan (WLP)).

Although the adopted Core Strategy provides a Key Diagram, the Core Strategy is not accompanied by a spatial plan that identifies how the development strategy is to be accommodated. Whilst policy CS6 (Newport) recognises the function and role of Newport where future development should be concentrated, it neither allocates land for development nor establishes the extent of any revised settlement boundary to accommodate future growth beyond 2006 as shown on the WLP Proposals Map.

In this respect the boundary of the built up area as shown on the WLP Proposals Map is out-of-date. The National Planning Policy Framework states at paragraph 14 that in such circumstances development proposals should be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This accords with the wider presumption in favour of sustainable development advocated in paragraph 14. Taking into account the policies in the Framework and the policies subsequently adopted in the form of Core Strategy

Policies CS1 (Homes) and CS6 (Newport), the benefits outweigh any adverse impact of developing beyond the built up area of Newport defined in the WLP Proposals Map.

In the absence of a spatial plan which allocates land uses for the Core Strategy, it is inappropriate to conclude that development conflicts with Core Strategy Policy CS7 (Rural Area). Policy CS7 specifically seeks to limit development to meet the needs of the Rural Areas (as opposed to Newport) and focus development on three named villages outside of which development in the open countryside will be strictly controlled. This policy should not be used to prevent development that is necessary to accommodate the growth of Newport, particularly where this would be consistent with Policy CS6.

To reinforce the view that sites outside of the built up area as shown on the WLP Proposals Map can be considered appropriate, it is noted that the WLP Proposals Map identified two sites for future residential development. Both sites have since been developed and there remain only a limited number of small sites that could be developed within the built up area, with most being brownfield in nature.

As discussed above brownfield sites are limited in the number of houses such sites can deliver and have historically resulted in a lower level of affordable housing provision. Many of the brownfield sites are in alternative uses which may be more appropriate to other forms of development and there is limited certainty that they will come forward and be granted permission in any event.

With regard to the Core Strategy, policy CS6 specifically refers to development also meeting the needs of Newport's rural hinterland as well as needs of the town itself. Furthermore, the Inspector's Report into the Core Strategy acknowledges that Newport is not as well provided with brownfield opportunities (within the built up area) as Telford and a higher proportion of greenfield development may be unavoidable if the proposed number of dwellings (and required level of affordable houses) advocated in policy CS1 (and policy CS6) are to be achieved.

Therefore, in light of the material considerations outlined in the paragraphs above and previous acceptance that there is a clear housing need in Newport to meet the requirements for the Core Strategy policy CS1 (Homes) up to and beyond the current plan period, the principle of whether a housing development in this location is accepted on policy grounds.

Coalescence of Newport and Edgmond.

Representations received have based some of their objections on the grounds that the proposed development would result in the coalescence of the built up areas of Newport and Edgmond. It is a matter of fact that the proposed development would reduce the area of countryside between the two settlements and bring them closer to one another. However, there would be retained a distance of 875 metres between the developable extent of the site and nearest dwelling in the east of Edgmond, so there remains a notable gap between the two settlements.

In relation to this matter, all the land outside of the built up area of Newport is part of the Rural Area to which the same policies apply; there is no separate designation or

policy in either of any of the saved Wrekin Local Plan policies or the Core Strategy that affords land between Newport and Edgmond any extra protection from development between the two settlements. For these reasons it is not considered that objections based on coalescence and a negative impact on character could not be justified and upheld on policy grounds.

Landscape capacity and sensitivity.

With regard to the landscape sensitivity and capacity of the application site, reference to the Telford and Wrekin Council Landscape Sensitivity and Capacity Study published in 2009 is the most relevant starting point for consideration of this issue. This study aimed to assess the sensitivity of the landscape for defined areas around Telford, Newport and other settlements in the Borough. It then sought to determine the capacity of the landscape to accommodate housing development and to identify those landscapes that should be protected from development. The study identifies the site subject of this application (allocated number TW Ne12-114) as having high/medium landscape sensitivity and low capacity to accommodate housing. In this latter aspect the report describes how *“the site is not appropriate for housing, given its value as a key view corridor on the settlement edge and viewed from nearby Listed Buildings. It is important to retain the landform and restore the drainage channel/stream for biodiversity and landscape interest.”*

This view is supported by the Urban Design comments received which suggests this may be a reason for refusal citing both the National Planning Policy Framework (NPPF) and Local Plan policies.

The Landscape Study from 2009 was prepared to form part of the evidence base to inform the Local Development Framework, it does not itself constitute policy. In respect of the Wrekin Local Plan, there are areas in the Borough that are designated on the Proposals Map as being within Areas of Special Landscape Character and to which Policy OL2 (Designated Areas) applies where development will not be permitted unless it is proven the benefits of the proposals significantly outweigh the importance of the area. The Edgmond Road site is not within any designated Area of Special Landscape Character and so this policy does not apply.

Notwithstanding the above, the NPPF does not protect all countryside and makes it clear that housing requirements need to be met in full. It is clear that this need, as described earlier in this report, necessitates greenfield development beyond the existing Newport settlement boundary. Any impacts on landscape and countryside are significantly outweighed by the benefits for market and affordable housing delivery.

None of the site is either formal or informal open space and so reference to policy CS 11 is irrelevant. A footpath crosses part of the site but it is all currently private land. Significant areas of open space (in excess of 2 hectares) are proposed as part of the development. In a similar way to the consideration of policy CS7, as described above, it is inappropriate to conclude that development conflicts with OL6 given the passage of time from the end of the Wrekin Local Plan. This policy should not be used to prevent development that is necessary to accommodate the growth of Newport, particularly where this would be consistent with the more recent Policy CS6.

Proximity of Listed Building and impact on Newport Conservation Area.

There are no Listed Buildings, Local Interest Buildings or Scheduled Ancient Monuments located directly within the site area but there are some Listed Buildings on adjoining sites, particularly to the north with Beech Hill and Chetwynd Knoll, both characterised as large houses set within their own landscaped grounds. In addition there is a grouping of smaller Listed Buildings along Chetwynd Road. It is considered therefore the impact on setting of the listed buildings should not be problematic at given the distances and open areas between them and the proposed development.

The site also lies at the tip of the Newport Conservation Area and Edgmond Road forms one of the principle routes into Newport NW and therefore the setting of the Conservation Area is a material consideration within the planning process. The site is screened sufficiently from the road so as to have no immediate impact on the setting of the Conservation Area and is also at a lower ground level.

The Conservation Officer has raised no objection. It is also noted that the site is relatively close (less than 150m) to Chetwynd Deer Park to the north, which is a Historic Park and Garden, a designated heritage asset. The setting of such sites is clearly important and landscape here is a vital characteristic, so any precedent set by too densely placed housing schemes may be problematic, although it is noted that density at this western end of the site is lower reduced and the creation of the Public Open Space does help to offer a buffer. It is considered in its current form the development would not adversely affect the setting of the conservation area and accords with policy CS14 and guidance in NPPF .

Sustainability of location.

In respect of the site's physical location, the site is some 400 - 800 metres south of Newport town centre and therefore many new residents would be reasonably able to walk to the town centre in around 5 to 10 minutes. Similarly, other services such as school and medical facilities are within a similar distance. In terms of public transport whilst there are no bus stops along Edgmond Road there is one nearby (150 metres) south of the proposal site along Chetwynd Road providing for transport into Newport and beyond via the bus terminal. Wider connections by road can be gained via the A41 are approximately 1.2km from the proposal site.

In this respect as a greenfield site on the edge of Newport the application site is considered to represents a highly sustainable location given its proximity to the town centre, the vehicular access in and out of Newport, the location of bus stops along Chetwynd Road and the accessibility to schools and a doctors surgery.

The Agricultural Land Classification of the area proposed to be developed is a mixture Sub-grade 3a , 3b and Grade 4 soils. These are grades of land that surrounds a large part of Newport and therefore it is very likely that greenfield developments in and around Newport would have to be built on such land.

Highway and traffic issues.

In response to this application the issue of the impact on highway safety arising from the proposals has been raised. In particular that Edgmond Road is already

congested and an accident black spot and this would be made worse. Furthermore, there is a specific point raised on the impact on visibility from Ingleside property on Edgmond. Also that the new access would negatively impact on an existing cycle route.

Highways state that they support the application subject to conditions. The conditions stipulated cover the following matters and are considered to address the on and off site issues:

- Highways details for the layout proposed but also to include details of footway/cycleway links into the site from Edgmond Road and Chetwynd Road;
- The new site access priority junction;
- The new mini roundabout junction between Edgmond Road and Chetwynd Road;
- The new traffic management gateway feature on Edgmond Road, west of the access in the vicinity of the property known as Ingleside, and to include the extension of the 30mph zone;
- Two new bus stops on Edgmond Road; and
- Details of the Travel Plan for the development .

The highway infrastructure for the new mini roundabout, gateway feature and any tie in with existing footway/cycleway facilities will need to be covered by S278 Highways Act (1980). The gateway feature will require a change to the 30mph zone and will need a Traffic Regulation Order. The applicant has offered a £5,000 pound contribution to this process.

Highways is concerned about the scale of development in Newport particularly with regard to the impact on the local highway network. As a result of the 4 large applications that were lodged in 2011 the LHA proposed a strategy for pooled contributions. This took account of all the new developments that were known at the time. This site was not considered as there was no proposal to bring forward development on this land. The site will have an impact on the wider highway network over and above what has previously been considered. Therefore a contribution will be sought, based on trip impact, towards the highway infrastructure.

Similarly the LHA has sought contributions towards enhancements to the local bus services in and around Newport. This site would benefit from those enhancements but is probably too small in itself to make a full contribution so would therefore suggest this site enhances the infrastructure (bus shelters) in the immediate area. The development will be required to make the following financial contributions through S106 Planning Act (1990):

- Off site highway infrastructure - £47,755.24;
- Public transport improvements - £10,000; and
- Travel Plan monitoring sum - £5,000.

Based on the response above, the conditions and contributions required it is concluded the proposals are acceptable with regard to highways matters.

Surface and foul water drainage and groundwater

The applicant has submitted a site specific Flood Risk Assessment (FRA) as part of the application in accordance with national requirements. The assessment considers

the potential for flooding from all possible sources – fluvial, surface run-off, overland flows, groundwater, sewers and man-made infrastructure. As confirmed by the Environment Agency the site is not a risk of fluvial flooding being in Flood Zone 1.

As with any new development there is a need for positive drainage in order to accommodate and discharge surface water run-off. The site is greenfield and currently drains by gravity. With respect to this application, the proposed strategy is evolving and ongoing discussions are at a stage where an on site attenuation feature will be provided at the lowest point of the site on the southern boundary. The feature would need to be designed to balance and restrict surface water flows from the site and should be designed to attenuate all flows up to and including the 1 in 100 year event +30% for climate change. In response to the surface run-off drainage details provided, neither the Council's Drainage Engineer nor the Environment Agency object to the development subject to the imposition of conditions.

In relation to foul water disposal flows, these would drain by gravity to a proposed pumping station on the southern boundary of the site. Severn Trent has not highlighted any sewer capacity issues in their response but have requested for details regarding foul water to be conditioned.

In conclusion, the site is not a risk of flooding and matters pertaining to surface run off and foul sewerage can be adequately addressed by conditions.

Other infrastructure issues including education provision.

In support of the application is a Utilities and Infrastructure Report outlining enquiries that the applicant have been made regarding connections to utilities around the site. This states that there are existing 11kV HV cables, low pressure gas mains, water mains and BT infrastructure within close proximity of the site boundary and proposed new site entry. Initial investigations have not highlighted any concerns or engineering difficulties with servicing the proposed development with new gas, water, electric or telecommunication connections. New infrastructure and service connection costs are anticipated to be in line with those expected for a standard development of this scale.

Education.

The amount of development proposed by this and the four other major applications would generate extra pupil numbers that would then give rise to the need for additional or expanded school infrastructure which would be necessary in planning terms, but are not provided for in the application. In this situation, it is considered acceptable for contributions to be sought towards this additional future provision through a planning obligation.

Where the combined impact of a number of developments creates the need for infrastructure, it is considered reasonable for the associated developers' contributions to be shared, in order to allow the costs towards the educational infrastructure to be secured in a fair and equitable way and to avoid a situation where contributions are burdened on later developments that may make them unviable.

With respect to contributions for school infrastructure, an indicative combined figure

for Secondary and Primary provision has been calculated based on an average house size of 3 bedrooms and the pupil numbers this would generate, with an appropriate discount for affordable housing provision. This then allows for a combined contribution figure to be divided by the number of dwellings proposed for each development so each site contributes to the needed school infrastructure in a fair and equitable manner.

In the case of this application, the contribution of £120,172 towards Primary School provision and £82,279 towards Secondary School provision has been calculated as being required and should be secured by means of a planning obligation.

Details on when such monies would be provided to the Council can be agreed and incorporated into a Section 106 agreement to reflect the need for a balance between the need for funds to deliver the necessary educational infrastructure and to help developers with cash flow in delivering a viable scheme. As with other education contributions, the Council would expect the agreed sums to be subject to indexation to ensure future value is not eroded by inflation.

The contributions highlighted above have been calculated as part of a shared figure reflecting the proportional impact from this development in relation to the cumulative impact of the major applications with the Council for determination. As such they represent a maximum figure that would be required. In the event that some or all of the other applications are not approved or implemented within a certain timeframe, it would be appropriate and fair to allow for a review of the contributions to establish what contributions would then be required at that time and if necessary allow for a refund for some or all of the contribution. Should Edgmond Road be the only application to be granted and implemented within this timescale Education Officers have highlighted that no contributions would be required.

Open space and play provision

The development proposes a number of properties which would contribute to the need for further recreational facilities for the area. The Illustrative Masterplan illustrates that the proposals incorporate both formal and informal open space, landscaping and wildlife areas. Formal open space would total 2 hectares. The applicant proposes an on site Locally Equipped Area for Play (LEAP) to the east of the site adjoining Chetwynd Road.

The Council's Parks and Open Spaces Officer supports the application subject to suitable conditions in relation final design, implementation and management and also a Section 106 agreement relating to the future adoption by the Council of the open space if that option is exercised by the applicant.

It is therefore concluded that the proposal meets the need for open space, play and recreation arising from the development in accordance with saved Wrekin Local Plan policies LR4 (Outdoor Recreational Open Space) and LR6 (Contributions to Outdoor Recreational Space Provision).

Ecology and Habitats Regulation considerations

In response to this application many objections have raised the point that the site is rich in wildlife, is eco diverse, acts a wildlife corridor into town and as a consequence the proposals will have a negative impact on wildlife and the ecology within the site.

Appropriate levels of ecology surveys have been undertaken. The surveys found no evidence of any great crested newts. It can therefore be reasonably considered that great crested newts are absent from the site. Neither of the two streams bordering the site were considered suitable to support otters or water voles. The site is considered to be of low value to reptiles due to a lack of suitable habitats.

No objection to the proposals has been received from Ecology and Natural England in relation to the proposals and ecological reports submitted. It is therefore concluded that subject to conditions the proposals are acceptable with regard to ecology matters.

Using a Habitats Regulations Assessment Screening Matrix the proposed development will not have any significant direct or indirect impacts on the Midland Meres and Mosses Phase 2 Ramsar site to the east of Newport. A full Appropriate Assessment is not required and a statement to that effect has been prepared. This concludes that there is no legal barrier under the Habitat Regulation Assessment process to planning permission being granted in this case.

Presence of Tree Preservation Orders.

The application site includes a significant number of trees, including trees which benefit from the protection of Tree Preservation Orders. Good planning practice requires that existing trees, particularly TPO trees, be retained where possible.

The Council's Arboricultural Officer notes in their response to this application a concern regarding the TPO Lime Tree in relation to the Illustrative Masterplan. In this regard such concern can be addressed in relation to any reserved matters application when considering the layout of the development.

It is concluded the Arboricultural Assessment submitted with the application and the consideration of this by qualified Council Officers give comfort that (subject to conditions outlined in the response to this application) that the proposals are acceptable with regard to the impact on trees.

Other matters

In response to this application, some representations have stated that the proposals will have a detrimental impact on the amenity of adjoining properties in terms of noise, loss of privacy and light pollution. Undoubtedly for some adjoining properties their wider outlook would change. However, given the nature of the proposals, the distance between properties and the ability to design the layout of the scheme as part of any reserved matters application it is not considered that there would be any direct adverse impact on residential amenity for properties near to the site that could justify a refusal of the proposals at this outline stage.

The site is in a Mineral Safeguarding Area in relation to underlying deposits of sand and gravel. It is noted that it is adjacent to road infrastructure and adjoining

residential development in the eastern half of the site. Given the need for standoffs from theoretical extraction limits and graded batters on a theoretical quarry face from existing road infrastructure, and built development, it is considered that any mineral which may be present within the site is already effectively sterilised. In addition, there would be major environmental concerns about working any mineral present so close to the residential development. In conclusion, it is considered there are no reasons to object to the site being developed on minerals sterilisation grounds.

Planning Obligations

With regard to planning obligations, the consultations received in relation to this application have highlighted the need for contributions relating to the following:

- provision of affordable housing (at 35% as per Core Strategy Policy CS6);
- highways works, public transport, travel plan monitoring and TRO works;
- education infrastructure;
- possibly with regard to future adoption by the Council of the public open space and SUDs feature.

In the responses from Council Officers in respect of Highways and Education, the combined impact of a number of developments creates the need for a greater level of infrastructure, therefore it is considered reasonable for the associated developers' contributions to be shared. This approach allows the cumulative costs towards such infrastructure to be secured in a fair and equitable way and to avoid a situation where contributions are burdened on later developments that may make them unviable.

However, such cumulative costs are by no means assured as they have been based on a level of development proposed in the other major applications submitted to the Council in the Newport area over the last 2 years. In essence they represent a maximum contribution that would be required from this applicant in contributing to the cumulative impacts that have been assessed as arising from a number of developments. If these applications are not approved or implemented then it is fair that a review mechanism exists within a Section 106 agreement so that, within a timescale to be agreed and set out in the required Section 106 agreement, the position can be assessed as to whether the applications under consideration have been or are likely to be granted or implemented, and if they have or are, allow for the return of some of the funds to reflect a lower level of impact arising from developments granted.

Therefore, the precise amount of Section 106 payments for certain highways contributions and all the education contributions depend on whether this application is granted permission in isolation, or is one granted and implemented together with other applications. In addition there are other variables that can only be considered when details accompanying Reserved Matters details are submitted, for example, the precise number and size of houses in relation to calculating education contributions. The wording in the S106 agreement needs to be suitably flexible to cover these variables whilst securing certainty to secure the appropriate planning gain necessary to mitigate the impacts of this development.

Conclusions

The delivery of affordable housing is a fundamental determinant of the development strategy for Newport in the adopted Core Strategy. Monitoring data since adoption has demonstrated that developments for both completed and committed proposals have failed to deliver the required number of dwellings and level of affordable housing required by policies CS1 and CS6 respectively. The development proposed would help address both of these deficits. When reflecting on the Inspector's judgment regarding the disadvantages of brownfield sites and that large greenfield sites would be required to deliver the level of provision envisaged by the Core Strategy, then greenfield sites such as Edgmond Road are acceptable and necessary to help ensure delivery of the local housing needs for Newport and its rural hinterland.

The concern regarding the inclusion of recent permissions for residential development is that there would, in effect, be an over supply of new homes compared to the adopted strategy and that this will lead to the completion of an unacceptable number of dwellings by April 2016. As highlighted in the trajectory to Table 1, the number of dwellings permitted planning permission could meet the housing shortfall and Core Strategy target to 2016 and because of lead in times and build out rates that would extend beyond 2016 into the next Local Plan period. Given this, it is necessary to consider the effect on this trajectory of the Edgmond Road proposals to consider the issue of over supply.

By applying the applicants build out rates and by making a broad estimate of delivery on smaller sites, it is considered that approximately 660 dwellings might be completed by April 2016, an excess of 10%. However, this figure is considered somewhat optimistic bearing in mind that only two of the major sites in Newport have full planning permission and so are ready to begin development. All other major sites are subject to permission in outline only, with no reserved matter applications received as of June 2013. Consequently, for the current plan period 2006-2016, it is considered that development levels for Newport are unlikely to significantly exceed the planned level of development up to 2016.

Separately, given the number of dwellings either granted or subject to resolution to grant, a significant number of these dwellings would be built beyond the period of the current Core Strategy period of 2016 in light of the number of years required to build the sites out. The trajectory in Table 1 indicates that by 2022-23 the number of dwellings being sought by the various permissions, if built, would equate to the aggregated level of housing at 60 dwellings per annum by that date.

However, with development of the Council's new Local Plan (Shaping Places) in its infancy there are no grounds to consider this or other applications before the Council in relation to prematurity with an emerging Plan. The Local Planning Authority is not yet in a position to identify a revised policy position as the basis of revised evidence, in the form of the 2009 Strategic Housing Market Assessment, as this needs to be adjusted to account for forthcoming updated population projections.

The Core Strategy as submitted for Examination evidenced the housing needs for Newport to 2021 before the time period was reduced to 2016 by the Inspector, predominately on the basis of Telford centric issues. With regard to the Inspectors

reference to monitoring, this has revealed under delivery in dwelling numbers and affordable housing provision which this application under consideration could address. Furthermore, the 2009 update to the Strategic Housing Market Assessment has revealed an increased need for affordable housing.

In light of the above, it is considered that the continuation of the target level of 60 dwellings per year for Newport defined by CS1 beyond the end of the current Core Strategy can be considered appropriate in helping meet the affordable housing needs in Newport with a realistic chance of delivery in current market conditions. Housing completions by consents issued now that are not constructed before April 2016 can be taken into account in the future planning of development in Newport as the new Local Plan is prepared and comes into effect.

The one proviso has been that for the applications under consideration recently with the Council is that they should deliver 35% affordable housing as the justification for the continuation of a 60 dwellings per annum approach is far less justifiable, reasonable and evidenced. The application provides this level of affordable housing and this can be secured through Section 106 legal agreement and appropriate planning conditions.

It is also considered that the above position is consistent with the National Planning Policy Framework which outlines what Local Planning Authorities should do 'To boost significantly the supply of housing' (paragraph 47). The NPPF also states that *"Housing applications should be considered in the context of the presumption in favour of sustainable development."* (paragraph 49). This relates to the social role of sustainable development that seeks to support *'strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'*.

Furthermore, it is considered that the proposed development accords with one of the NPPF's Core planning principles that the planning system ought to play, this being:

'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities'

Also with regard to the NPPF, the proposed range of housing size, type and tenure in the application would contribute to the creation of sustainable, inclusive and mixed communities advocated in paragraph 50.

Whilst this application is made in outline the parameters defining the density of the development and the maximum height of the dwellings (2½ storeys) are considered appropriate in the context of Newport and this particular location.

Despite the site being outside of the built up area, the principle of the development in this location is acceptable on policy grounds given the other material considerations outlined. There are no policy grounds to refuse the application in respect of coalescence between Newport and Edgmond. Whilst there are notable concerns regarding the loss of a sensitive landscape there is no formal policy designation on this land of a nature afforded in other areas of the Borough. More general policies regarding impacts on landscape and countryside are significantly outweighed by the benefits for market and affordable housing delivery that is necessary to accommodate the growth of Newport, particularly where this would be consistent with the Policy CS6.

Neither is it considered that the development would have any adverse impact on the setting of adjacent Listed Buildings, Conservation Area or Chetwynd Deer Park which is a Historic Park and Garden. Finally, as a greenfield site on the edge of Newport, the application site is considered to represent a sustainable location given its proximity to the town centre, the vehicular access in and out of Newport, the location of bus stops along Chetwynd Road and the accessibility to schools and a doctors surgery.

In response to the application and the supporting Transport Assessment, the Council's Highways Engineers have stated they support the scheme subject to conditions. Provided Section 106 contributions and conditions are applied to any consent granted, it is concluded that the proposals are acceptable with regard to highways matters.

The site is not a risk of flooding and matters pertaining to surface run off and foul sewerage can be adequately addressed by conditions.

Initial investigations have not highlighted any concerns or engineering difficulties with servicing the proposed development with new gas, water, electric or telecommunication connections.

Contributions to meet the need for educational infrastructure resulting from an increase in pupil numbers for permitted housing can be secured through a Section 106 agreement.

The proposal meets the need for open space, play and recreation arising from the development in accordance with saved Wrekin Local Plan policies LR4 and LR6.

No objection to the proposals has been received from Ecology and Natural England in relation to the proposals and ecological reports submitted. It is therefore concluded that subject to conditions the proposals are acceptable with regard to ecology matters. Using a Habitats Regulations Assessment Screening Matrix the proposed development will not have any significant direct or indirect impacts on the Midland Meres and Mosses Phase 2 Ramsar site to the east of Newport. A full Appropriate Assessment is not required and a Statement to that effect has been prepared. This concludes that there is no legal barrier under the Habitat Regulation Assessment process to planning permission being granted in this case.

The Arboricultural Assessment submitted with the application and the consideration of this by qualified Council Officers give comfort that subject to conditions the proposals are acceptable with regard to the impact on trees.

It is not considered that there would be any direct adverse impact on residential amenity for properties near to the site that could justify a refusal of the proposals at this outline stage.

Overall, it is considered that the development proposed in the application represents sustainable development and there is a presumption in favour of sustainable development in National Planning Policy Framework and in accordance with policies with the core strategy and WLP as detailed above.

Recommendation to Plans Board

Based on the conclusions above, the recommendation to Plans Board 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/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
- (i) Affordable housing, to include:
 - Provisions ensuring that 35% of the dwellings to be built shall be affordable housing either in number or value (to allow for the inclusion of more expensive specialised affordable housing where required);
 - (ii) Highways works, to include:
 - Off site highway infrastructure improvements - up to a maximum of £47,755.24;
 - Public transport service enhancements – £10,000
 - Travel Plan monitoring - £5,000;
 - Implementation of Traffic Regulation Order – £5,000.
 - (iii) Education infrastructure funds up to maximum of £120,172 towards Primary School provision and £82,279 towards Secondary School provision within the vicinity of Newport.
 - (iv) A formulated commuted sum for the adoption and maintenance of public open space, LEAP facilities and Sustainable Urban Drainage System at the site by Council (if that option is exercised by the applicant); and
 - (vi) Provision of a Planning and Financial Monitoring contribution. To be confirmed by update.
- B.) The following conditions (with authority to finalise conditions and reasons for

approval to be delegated to Development Management Service Delivery Manager):

1. A01 Time limit - Outline.
2. A03 Time limit – Submission of Reserved Matters.
3. B02 Standard outline some matters reserved.
4. B10 Phasing plan for the development.
5. BCustom Details to be submitted of affordable housing in each Phase with houses to be provided in clusters of no more than 8.
6. BCustom Details of LEAP, timing of implementation and ongoing maintenance.
7. B125 Details of earthworks.
8. BCustom Programme of archaeological work.
9. BCustom Highways details as specified by Highways Engineers (including Travel Plan).
10. BCustom Detailed Scheme of Noise Attenuation Measures for dwellings adjacent to Edmond Road.
11. B57 Land contamination.
12. BCustom Site Investigation works as recommended by the Environment Agency with regard to impact on groundwater.
13. B150 Site Environmental Management Plan for construction works.
14. BCustom Details of foul and surface water drainage to include requirements specified by Drainage Engineers.
15. BCustom Details of Ecological Management Plan including nesting boxes.
16. B130 Tree protective fencing.
17. BCustom Trees Services root protection, extent of work and no dig
18. BCustom Details of how dwellings built will meet Code for Sustainable Homes Level 3 as expressed in Energy Statement.
19. C76 Trees – Soil levels, storage
20. C38 Development in accordance with deposited plans
21. CCustom No dwellings to be built overlooking LEAP until such a facility has been provided
22. CCustom Tree & Hedge Protection.
23. DCustom No piling of foundations unless agreed
24. Dcustom No surface water infiltration unless agreed
25. DCustom Maximum number of dwellings permitted to be 85 units.
26. DCustom None of dwellings to be approved by reserved matters shall be more than 2 and a half storeys high.

Informatives:

I106 – Section 106 agreements

I32 – Fire Authority

ICustom

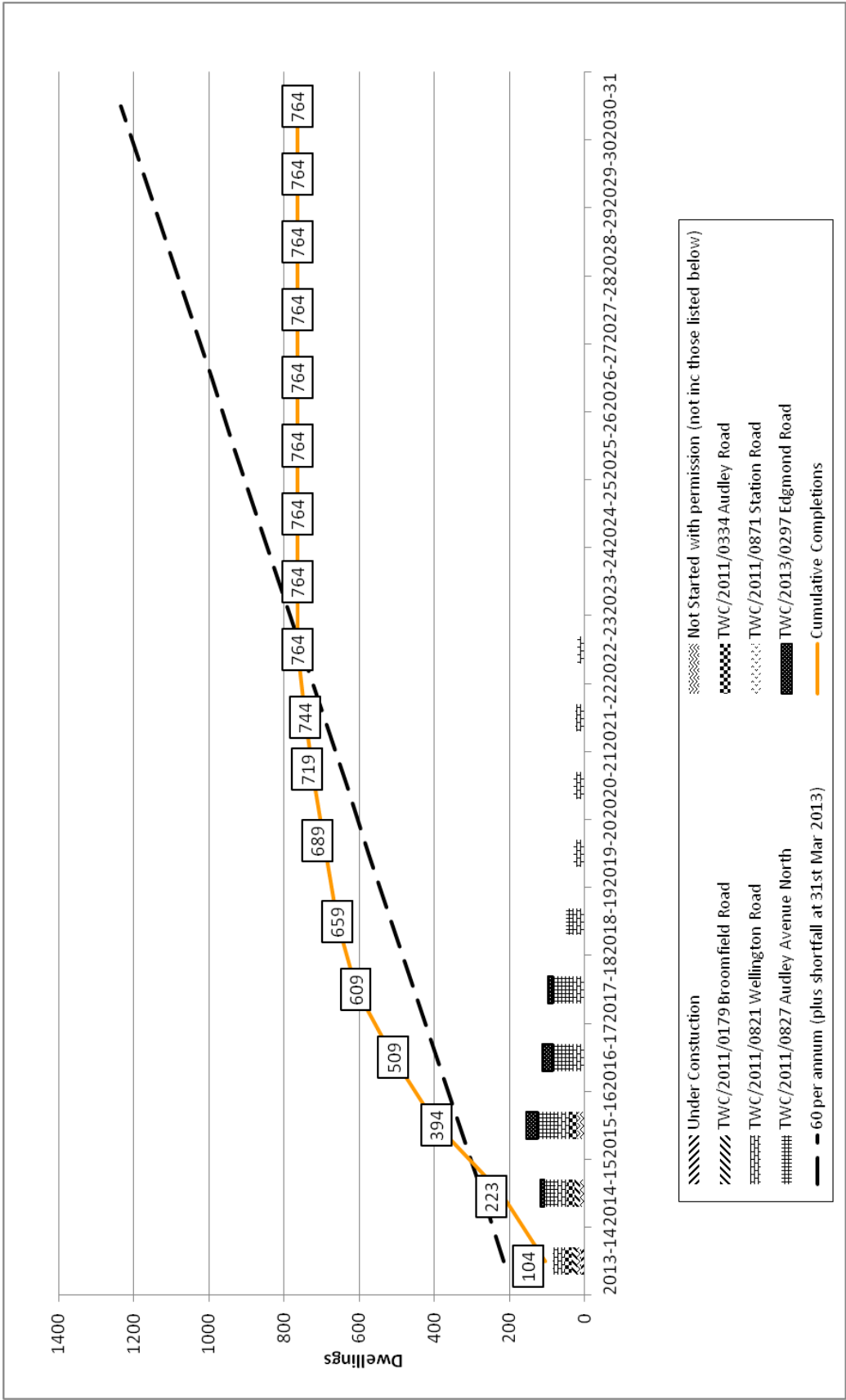
ICustom - Ecology related informatives

ICustom – informatives provided by Environment Agency

I40 - Conditions

RANPPF - Approval – National Planning Policy Framework

Table 1 - Trajectory showing the delivery of housing in Newport including the Wellington Road, Maynards Croft, Audley Avenue and Edgmond Road proposals in relation to the existing shortfall and the 60 dwellings per annum rate.



TWC/2013/0312

9 Woodcote, Telford, Shropshire, TF10 9BW

Change of use from vacant land to a permanent travellers site including hardstanding for 4 chalets, spaces for 3 caravans, a permanent amenity/day room block, 4 car parking spaces and erection of a small package sewage treatment plant

APPLICANT

William Whyte

RECEIVED

26/04/2013

PARISH

Chetwynd Aston and Woodcote

WARD

Church Aston and Lilleshall

OFFICER

Sarah Clifton

THIS APPLICATION HAS BEEN GREEN CARDED BY CLLR EADE ON GROUNDS OF HIGHWAYS ISSUES

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES:

Principle, highways

PROPOSAL

Planning permission is sought to change the use of vacant land to a permanent travellers site. The site seeks to include hardstanding for 4 chalets, spaces for 3 caravans, a permanent amenity/day room block, the erection of a small package sewage treatment plant and provide parking for 4 cars.

The site will be in constant use by the family and has been designed to accommodate all family members with scope for visitors and room for caravans adjacent to 3 out of 4 chalet plots.

Access to the site will from an existing entrance way off the A41. It is proposed to utilise and increased the access in size to 7m wide. It is proposed to erect a set of timber double entrance gates approximately 14m back from the road to safely allow a vehicle towing a caravan to enter the site whilst being clear of the main road. It is also proposed to provide the entrance with a single pedestrian gate for ease of access on to the site without opening the vehicle gates.

Existing water and electricity points are located near to the site entrance. Water and electricity meters would be provided in the amenity building by the relevant supplier for each pitch and would be for domestic usage..

SITE AND SURROUNDINGS

The application site relates to an area of land that lies south of 8 Woodcote, on the A41 in Chetwynd Aston. The site is well screened along the front and

side boundaries by means of hedging and fencing. Although the site lies adjacent a main road this rural site is somewhat isolated and predominantly surrounded by fields.

The existing land is has previously been used to graze horses and for storage of a small number of 4x4 vehicles and a horseboxes, however the site currently stands empty apart from a corrugated steel structure at the rear of the site which measures approximately 7m x 8m.

There are some neighbouring properties near by located north and south of the site. The nearest property (Walton Folly) lies approximately 23m south of the application boundary with numbers 6-8 Woodcote located approximately 32m to the south . The site is somewhat isolated with very few local facilities within the immediate area. However 3.5 miles north of the site is the town of Newport.

SUMMARISED CONSULTATIONS

Standard consultation responses:

Chetwynd Aston and Woodcote Parish Council: Object to the application on grounds of previous refusals for similar proposals and highway danger.

Highways: No objections, It is acknowledged that there have been successive highway refusals on this site in the 1980's and 1990's for a similar use however all these planning applications were refused while the A41 was a Trunk Road and maintained by the Highway Agency. This application is the first put forward for highway consideration by the Local Highway Authority since the A 41 was De-Trunked in 2002. The guidance document referred to, to deliberate an application off the A41 is no longer the Design Manual for Roads and Bridges but Manual for Streets. Manual for Streets reduces the visibility requirement at the site access to 2.4m x 125 m rather than the 215 m required prior to 2002. This requirement can be accommodated within the application boundary and the adopted highway.

The proposed access design allows for a vehicle towing a caravan to pull clear off the highway, has adequate on site turning and parking facility and has an access width which can accommodate for two way movements.

The forward visibility requirement on the A41 fronting the development can be achieved therefore I would have no concern to the turning of vehicles off the A41 into the site.

Accordingly request the following conditions:

- visibility splays of 2.4m x 125m

- Parking, loading, unloading & turning
- set back a minimum of 14 m from the carriageway edge
- Before the proposed development is brought into use the driveway within the site shall be surfaced in a bound material for a minimum distance of 14m from the rear of the highway boundary.

Informative on highways

Arboriculture: The information provided within the application is conflicting, the Tree Report provided by Wolverhampton Tree Services recommends that all trees onsite are felled and replaced. It appears that since the report was written G1 the Cypress hedge which runs from the north to the east around the site has now been reduced and brought back into management. This hedge is currently providing an existing screen for the properties to the north of the site and vehicles travelling south down the A41. According to the General Site Lay, the majority of the trees on site are to be retained. However, H1 does not feature on the plan, this hedge is also currently functioning as a screen into the site and for cars travelling north up the A41. If it is to be removed it should be replaced.

T1, the Sycamore has been previously managed as a hedgerow tree, the lapsed management of this has now caused a number of stems to grow with included unions one of which faces toward the proposed amenity block. I would recommend that the tree is either brought back into management or removed and replaced.

If the proposal progresses, further information through conditions will be required such as a Tree Protection Plan showing the location of the HERAS fencing to protect the retained trees on site.

Policy: In addition to the broader policy of the NPPF, the national policy position regarding gypsies travellers and travelling showpeople development is set out in the *Planning Policy for Traveller Sites*.

Paras 8 and 9 requires that the Council set local targets for traveller accommodation in line with objectively assessed need and to plan for sites to meet these targets over a reasonable time scale. National policy requires that the Council be proactive in meeting local targets and demonstrate that 5 years' worth of new supply against these targets is in place.

The *Shropshire Telford & Wrekin, Herefordshire and Powys Gypsy and Traveller Accommodation Assessment* (2008) shows identified need. As yet there are no local development plan targets in place, no allocated sites and no defined local criteria.

Para 22 advises considering the following issues when determining applications:

- the existing level of local provision and need for sites
- the availability (or lack) of alternative accommodation for the applicants

- other personal circumstances of the applicant
- that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- that they should determine applications for sites from any travellers and not just those with local connections

The need for this development, versus its location in open countryside, is also addressed in the national *Planning Policy for Traveller Sites*. “Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.”

There are no local policies in place relating to gypsies and travellers. Work is underway on a new development plan Shaping Places Local Plan, is scheduled to be completed by early 2015, but is too early in the process to have allocated land or site for gypsies and travellers.

The *Shropshire Telford & Wrekin, Herefordshire and Powys Gypsy and Traveller Accommodation Assessment* (2008) identified a shortfall of provision in Telford & Wrekin and proposed the following local targets to 2017:

- 34 residential pitches,
- a transit site (this could take various forms but could be approx 10 pitches in size)
- 5 travelling show peoples’ plots

Seeking provision of new residential pitches was recommended by the study in order to respond to locally arising need.

Drainage no objections subject to conditions relating to surface water drainage, soakaway tests and run off rates

Shropshire Fire: consideration should be given to the information contained within Shropshire Fire and Rescue Service Safety Guidance for Commercial and Domestic Planning Applications

Ecology: No objections subject to nesting birds, trenches, enhancement planting and bat, bird and invertebrate informatics.

Neighbour consultation responses:

Following consultation 6 neighbouring letters of objection have been received concerned with the following:-

- Overdevelopment of site

- Highway danger
- Poor access and visibility
- Harm to countryside
- History of road accidents
- Inappropriate development that would set a precedent
- Occupation of site of this nature constitutes the creation of a business
- Development out of character with the area

RELEVANT HISTORY

W90/0509, use of land for 3 caravans or mile homes by the Finney family, full refused 26/06/90.

W86/0230, change of use of land from agriculture to the stationing of two caravans, full refused 05/06/86.

W85/0074, change of use to caravan site for one gypsy family, full refused 28/02/86.

W83/0725, formation of residential caravan site for two gypsy families, full refused 02/12/83.

RELEVANT POLICIES

National planning guidance:

National Planning Policy Framework (NPPF)

Planning Policy for Traveller Sites

Core Strategy:

CS1 Homes

CS7 Rural Area

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS

Principle

The Government document 'Planning Policy for Traveller Sites' outlines that applications must be assessed against policies in the development plan and any other material considerations. The Government's aim is to ensure fair and equal treatment for travellers, enabling travellers to maintain their traditional way of life whilst respecting the interests of the settled community. It sets out that LPAs must make their own assessment of need and should seek to increase the number of traveller sites in appropriate locations to ensure there is a sufficient supply of land. A robust evidence base must be used to assess need and to inform planning policy and decisions. When assessing sites in rural locations, it must be ensured that the scale of such sites does not dominate local communities. Furthermore, consideration should be given to rural exception sites.

In determining planning applications, LPAs must consider matters such as the local provision and need for sites, availability of alternative accommodation, personal circumstances of the applicant, local guidance and policy, and to consider applications for sites from any travellers, not only those with local

connections. New traveller sites in open countryside and not in existing settlements should be strictly limited.

At a local planning policy level, there is currently no specific policy. Policy H20 'Provision for Gypsy Sites' in the Wrekin Local Plan is no longer extant and the Core Strategy policies do not make any specific reference to traveller sites.

Officers note that there is a national and local shortage of traveller sites; and there is an obligation on the Local Authorities to make adequate provision for travellers in the absence of suitable alternatives.. It is noted that without any specific local planning policies, the LPA must consider the application with regard to national policy documents and material considerations.

The Design & Access Statement outlines that the children's continued attendance at the local schools would be dependent on the family being allowed to stay at the application site. They are also registered with the local health centre.

Given that there are no local policies which relate to traveller and gypsy sites. There is a shortfall in provision of traveller sites in Telford & Wrekin. Site allocations have not yet been identified as documents to accompany the Local Development Framework or as part of the new plan process 'shaping places'. Whilst having regard to the sites location in the open countryside and concern that this is not the most sustainable location. Officers consider that the proposal is considered to be in general conformity with the NPPF and the document Planning Policy for Traveller Sites.

Character and Amenity

Officers have considered the supporting information submitted with the application and has given due consideration to the family's need to relocate. The site is adjacent to a open field and small number of dwellings. The scale of development will not adversely impact the character and appearance of the area or on residential amenity of adjoining properties

Highways

Officers acknowledge neighbouring concerns with highways however its should be noted that the highways officers have viewed the site, considered previous refusal decisions and highway records and confirmed no objections to the proposal subject to conditions.

With regards to a poor visibility and dangerous entrance route, access and internal layout improvements are proposed as part of this development which would allow a vehicle towing a caravan to pull clear of the A41 and manoeuvre within the site, therefore, allowing any vehicle to exit the site in a forward gear. On the basis of the visibility (Stopping Sight Distance - SSD) calculations advocated in the Manual for Streets documents "Manual for Streets" and "Manual for Streets 2", the visibility at the access exceeds that required for a 60mph road. In addition, a speed survey commissioned in 2009 demonstrated that the 85th percentile speeds at 4 locations along the A41

were below 60mph. It is considered, therefore, that there are no grounds to recommend refusal of the application based on visibility. The existence of police speed enforcement initiatives would not be grounds for a refusal in isolation and could be seen to be enforcing the 60mph limit.

In reference to previous planning refusals it should be noted these planning applications were refused when the A41 was a Trunk Road. Trunk Roads are expected to “provide for the safe and expeditious movement of long distance traffic” and the previous refusals by the Highways Agency cited “the proposed development will result in an increase in the number of vehicles slowing down, turning and stopping on the carriageway, thereby causing interference with the safety and free flow of through traffic on the Trunk Road”. The A41 was “de-trunked” in 2002 and the protection afforded to Trunk Roads under the Highways Agency’s powers are not available to the Council. Further to this, there is evidence that the application of Trunk Road standards (i.e. Design Manual for Roads and Bridges – Department for Transport) on non-trunk roads is not being supported by the Planning Inspectorate at Planning Appeals, with greater weight now being given to the more recent evidence based visibility standards and calculation methods within the two “Manual for Streets” documents above.

As part of the Highway considerations, the accident history within 300 metres either side of the proposed access on the A41 during the preceding 5 years was analysed. According to Police records 6 accidents have been reported within the vicinity of the site and a description. However when analysing the accident data it appears that all of the incidents occurred due to human error with an exception which related to escaped animals. This accident data cannot prejudice the current development application as it does not show a pattern of accidents which would indicate highway safety issues relating to either the nature of the A41 or problems with access to or from the road at this location. With the volume of traffic on this route (10,792 average daily-two way) it is unfortunately inevitable that some accidents will occur.

The fatality which occurred within the immediate vicinity of the proposed development (1) was an unfortunate accident where an elderly pedestrian crossed the road apparently without being aware of traffic. The likelihood of this unfortunate incident occurring again is considered to be extremely low and again cannot prejudice the proposed development.

In addition, under the current proposals the applicant will be required to construct the improved access under a Section 184 license (Highways Act 1980) which will ensure that the correct construction standard is used and that the necessary visibility splays are provided before the site is brought into use and maintained.

In view of the above, it is considered that there are no Highway safety grounds upon which to base a refusal of this application. To refuse an application without a sound technical backing would leave the Council open to Appeal which, if upheld, could result in an award of costs against the Council.

In conclusion, whilst the rural location of this site can not be considered to be the most sustainable location, as there are no defined gypsy and traveller sites or land allocations for future sites, and needs of this community for site provision is sufficient to outweigh any issues of sustainability, and is therefore consider to comply with national guidance. With regards to highways issues, there has been a significant change in circumstances with regards to highways since previous applications at the site where considered, in terms of detrunking of the A41 and alterations in guidance used to assess and consider highway safety issues. It is therefore now considered that the access to this site, along with proposed improvements is acceptable and accords with policy. The development will not have a detrimental impact on the character of the area or amenities of nearby residential properties.

RECOMMENDATION to GRANT PLANNING PERMISSION
subject to the following conditions:

1. Time limit
2. Details of materials including sample panel
3. Tree protections details
4. Drainage condition
5. Visibility splays
6. Parking and turning
7. Gates
8. Bound Driveway
9. Development in accordance with plan Nos.

Informatives

Highways

Nesting birds

Trenches

Replacement Planting

Bird/Bat and Invertebrate boxes

No business use

TWC/2013/0332

Land adjacent 34 Waters Upton, Telford, Shropshire

Erection of a detached dwelling with all matters except access reserved
(Outline)

APPLICANT

Darren Morgan

RECEIVED

02/05/2013

PARISH

Waters Upton

WARD

Ercall Magna

OFFICER

Matthew Thomas

WATERS UPTON PARISH COUNCIL HAS REFFERED THE APPLICATION
TO PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Principle of development, visual impact, impact on residential amenity,
highways and street scene

PROPOSAL

This planning application seeks outline consent for the erection of a detached dwelling and garage with access from the highway with all other matters reserved for later approval. The application site is land adjacent No.34 Waters Upton, to the east of No.1 Orchard Close and to the south west of 'Orchard Rise'. The application site has an area of 700m² and the detached dwelling is proposed in the south eastern corner of the site, set back approximately 6m from the highway.

The scale and appearance of the proposed dwelling as well as the boundary treatments will be agreed at Reserved Matters stage however it is envisaged that the roofline of the build will be no higher than those of the adjacent properties. In interests of privacy, it is proposed that there will be no first floor habitable windows in the north eastern elevation of the proposed dwelling facing Orchard Rise.

Access is proposed off the highway with visibility splays of 2.4m x 43m proposed along with a minimum of two on site car parking spaces, being in line with advice sought from the Council's Highways engineers. The site is not within a flood risk zone and it is proposed to connect to the foul and surface water mains sewers readily available within the village.

SITE AND SURROUNDINGS

The application site is located in the village of Waters Upton within the rural area, off the A442 and forms part of land associated with No.34. The site is comprised of a two storey red brick building with an on site butcher's shop and various other outbuildings. To the north east of the site is a large parcel

of land which measures approximately 70m x 31m. The land is currently vacant and enclosed by a mixture of hedging and timber post fencing. There are a number of trees within the site however they do not appear to be of any merit. The application site represents about a third of the overall parcel of land and measures approximately 23m x 30m.

North of the site is Orchard Close, a group of ten 1980s residential dwellings typically finished in brown bricks, plain clay roof tiles and white upvc windows and doors. Other neighbouring dwellings within the vicinity of the site are a mix of age, style and design including No.35, a Grade II Listed Building.

Waters Upton is located in the rural area of Telford, approximately 10 miles north of the centre and around 8 miles west of Newport. The site is within the village of Waters Upton and within the built up residential area. The village has a restaurant/pub which itself is adjacent Waters Upton Parish Centre which includes a community shop, post office and parish offices.

SUMMARISED CONSULTATIONS

Standard consultation responses:

Waters Upton Parish Council: Object

- ☐ Ongoing extensive drainage works being carried out in this part of the village
- ☐ The field is a designated orchard/inaccurate information relating to trees
- ☐ Creation of a new access – highway concerns in this location
- ☐ Waters Upton village has grown out of recognition with the constant approval for new homes – lost employment opportunities, no regular bus service, public house has closed and school has reached its capacity
- ☐ The Parish Council considers members of plans board will find it useful to visit the site before determining the application

Drainage: Support subject to conditions

Foul & surface water, Soakaway Test, Soakaways 5m+

Highways: Support subject to conditions

Parking & turning, Visibility Splays (2.4m x 43m), add highways informative

Arboricultural: Comment

Hedge protection condition

Ecology: Comment

Nest boxes condition and wildlife informatives

Shropshire Fire Service: Add Fire Authority informative

Neighbour consultation responses:

Following consultation 6 letters of objection have been received and the issues are listed below:

- ☐ Unsustainable form of development
- ☐ Existing new developments in the village are unsold
- ☐ Loss of hedging – of which is privately owned
- ☐ Existing highway concerns – speed of vehicles, number of vehicles etc
- ☐ Concerns of flooding – in particular the brook
- ☐ Disproportionate growth of Waters Upton – need for additional housing has not been demonstrated
- ☐ Roads are already unsuitable – any increase will only exacerbate problem
- ☐ Loss of part of green space
- ☐ The site is an existing orchard, not paddock – loss of existing fruit trees
- ☐ Noise disturbance
- ☐ Loss of privacy
- ☐ Potential loss of light/overshadowing
- ☐ Overdevelopment/close proximity
- ☐ Proposal is contrary to local and national policy as well as the village plan

A single letter of support has been received:

- ☐ Distinct lack of housing for young families within the Parish – any new dwellings will only help to fulfil this void
- ☐ Scheme will enhance the community and quality of life in the neighbourhood
- ☐ Affordable housing provision – support this application and others of similar nature

RELEVANT HISTORY

None

RELEVANT POLICIES

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes

CS7 Rural Area

CS15 Urban Design

Wrekin Local Plan:

UD2 Urban Design

H6 Windfall Sites

H10 Scale of Development

PLANNING CONSIDERATIONS

Policy CS7 of the Core Strategy states that development within the rural area will be focussed on the settlements of High Ercall, Tibberton and Waters

Upton. The proposed development is within a sustainable location as it is located in one of the three identified villages for development. This was repeated in policy H9 which was later superseded by this policy. The National Planning Policy Framework has a presumption in favour of sustainable development and there is a key objective to boost the supply of housing and that housing application should be considered in the context of the presumption in favour of sustainable development.

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively 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. Policy H10 of the local plan specifies the scale of development limiting to only 2 units within the built up frontage; whilst this proposal complies with this policy little weight is now applied to this aged policy since the full adoption of the NPPF in March 2013. In addition, national guidance contained in the National Planning Policy Framework asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.

The application seeks outline consent for the erection of a detached dwelling and garage with access from the highway with all other matters reserved. It is therefore the principle of development which is being sought with the scale and appearance of the proposed dwelling as well as details of the boundary treatments and landscaping to be agreed at Reserved Matters stage. Taking account of the location within an identified settlement the principle of development is considered acceptable.

The proposed application has had the benefit of pre-application advice from both Local Planning Authority and the Council's Highways engineers. The applicant has submitted a scheme which is in line with the recommendations of the LPA, providing a dwelling with sufficient on site parking, access and private amenity space. The indicative site layout plan shows the proposed dwelling to be erected in the south eastern corner of the site being set back approximately 6m from the highway. The dwelling will be sited some 14m away from the boundary with No.1 Orchard Close and 11.5m away from the dwelling to the north, 'Orchard Rise'. The site plan demonstrates that sufficient parking, turning as well as visibility splays can be achieved whilst providing spacious private amenity space to the rear.

Officers are satisfied that the applicant has chosen the most suitable location for the proposed dwelling, being furthest away from neighbouring properties in order to minimise potential overlooking or any significant overbearing impact. The proposed dwelling will not project beyond the principal elevations of the two nearest dwellings and its size is commensurate with that of the neighbouring dwellings. It can be successfully argued that this is a suitable in-fill plot, finishing off the close without spreading out in to the countryside. This is the built up location of the village and the Local Planning Authority considers the proposed dwelling can be accommodated without having a

significant adverse impact on the village itself, the character of the area or the amenities presently enjoyed by neighbouring properties.

Following consultation, the Council's Highways and Drainage engineers have confirmed that they support the proposed scheme subject to standard conditions and the Arboricultural Officer and Ecologist have also requested that appropriate conditions be imposed to ensure hedgerows and wildlife are protected. Officers have taken in to consideration the objections received from neighbours however many of the issues raised can be addressed at Reserved Matters stage. Appropriate and sensitive designs will enable a detached dwelling to be constructed without the residential amenities of neighbouring properties being significantly affected. Waters Upton is a village which is identified within local plans as a suitable and sustainable settlement for residential development. Whilst there are concerns with regards to drainage and highway related matters, both relevant consultees have confirmed that they support the application subject to conditions.

In conclusion The Local Planning Authority is satisfied that the principle of development is acceptable on this site. The proposed development will not have a significant adverse impact on the character of the area or the immediate neighbouring dwellings. The plot is of sufficient size to accommodate the proposed dwelling without being overdevelopment of the site and is situated within a sustainable location. The proposal will provide sufficient level of amenity; parking and adequate access and the overall impact on visual amenities will not be detrimental. Accordingly it is considered that the proposal complies with local planning policies including UD2 and H9 of the Wrekin Local Plan, policies CS1, CS7 and CS15 of the Core Strategy as well as guidance contained within the National Planning Policy Framework. For these reasons the proposed development is recommended for approval subject to conditions.

RECOMMENDATION

GRANT OUTLINE CONSENT subject to the following conditions:

Conditions

1. Time limit – Outline
2. Submission of Reserved Matters
3. Standard Outline – All Matters Reserved
4. General Details Required
5. Development in accordance with deposited plans
6. Sample of materials
7. Sample brick panel
8. Visibility Splay 2.4m x 43m
9. Parking & Turning
10. Foul & Surface Water
11. Soakaway Test & Soakaways 5m+
12. Landscaping Design

- 13. Erection of nest boxes
- 14. Hedge Protection
- 15. Removal of Permitted Development

Informatives

Protected & priority species
Trenches
Fire Authority
Highways
Proactive Statement (NPPF)

TWC/2013/0355

Telford Ski Centre, Court Street, Madeley, Telford, Shropshire, TF7 5DZ
Erection of a single storey changing room extension and the construction of a link to existing ski centre

APPLICANT

Telford and Wrekin Council

RECEIVED

03/05/2013

PARISH

Madeley

WARD

Madeley

OFFICER

Matthew Thomas

OBJECTIONS RECEIVED: None

MAIN ISSUES:

Visual Impact

PROPOSAL

This full planning application relates to the erection of a single storey extension at Telford Ski Centre in Madeley to provide new changing room facilities with a link to the existing main building. The proposed extension will extend approximately 16m from the north side elevation of the existing building and will be a maximum of 13m wide. The proposed building will sit beneath a hipped roof and will be finished in half timber cladding and half cream coloured render with timber frame windows.

A similar application was approved at Plans Board in March 2013. This proposal seeks a few amendments including minor internal alterations however more notably this application does not include the previously approved car parking provision.

SITE AND SURROUNDINGS

The application site is a council owned Ski slope adjacent to the former Madeley Court School, located to the south of the site. The site consists of two dry ski slopes including a large run and a smaller training run. These run north to south down a slope which is bounded by large mature trees at the west of the site. At the south of the slopes are two single storey log cabin style buildings; one which is used as a small café and the other as the main Ski Centre. The site is bounded by a 2.1m high green security fence to Court Road.

Car parking is located to the far south of the site. Residential dwellings are located to the south east. Only one residential dwelling, 'Rothlyn', faces the site.

SUMMARISED CONSULTATIONS

Standard consultation responses:

Madeley Town Council: Support subject to conditions

- LPA should be satisfied that existing car park capacity will be sufficient
- Relocation of storage container to the front of the building line should be subject to screening – Court Road is a public Right of Way

Highways: No Objection

Drainage: Support subject to condition: Surface water drainage (B62)

The Coal Authority: No Objection, include informative

Shropshire Fire Service: Add Informative

Sustainability: No Comment

Ecology: No Comments received

Neighbour consultation responses:

A site notice and 4 neighbour letters publicised this application however no further representations were received.

RELEVANT HISTORY

W88/0256 - Erection of ski lodge - Full Granted 12/05/88

W91/0051 - Erection of ski hut - Full Granted 28/02/91

W93/1081 - Extend the length and width of existing nursery ski slope and construction of new car park - Full Refused 23/08/95

W2003/0084 - Replacement of existing and erection of new 2.1m high paling fence with 2no. access gates - Full Granted 06/03/03

W2009/0311 - Provision of a storage container - Full Granted 21/05/09

TWC/2012/0657 - Proposed residential development for up to 140 dwellings, new access arrangements, play area and associated infrastructure (Not yet determined)

TWC/2013/0124 - Erection of a single storey extension with link to the existing Ski Centre building and creation of a new second access with extended car parking provision - Full Granted 25/03/13

RELEVANT POLICIES

National Planning Policy Framework

Saved Wrekin Local Plan Policies

UD2 Design Criteria

LR1 Provision of Community Facilities

PLANNING CONSIDERATIONS

The National Planning Policy Framework states that *'Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities'* and advises Local Planning Authorities to *'plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues...) and other local services to enhance the sustainability of communities and residential environments'*.

Policy CS10 of the Core Strategy states that *'the provision of new community facilities or improvements to existing community facilities to meet the needs of local residents will be supported'*. Policy LR1 of the Wrekin Local Plan also offers support to such development.

The proposed single storey extension will measure approximately 16m by 13m and will sit beneath a hipped roof which will have a maximum height of 5.5m. The proposed building has a contemporary design and will be finished in half timber cladding and half cream coloured render with timber frame windows. The extension will be used in connection with the existing Ski Centre as accommodation for shower, changing room and WC facilities.

In addition the facilities will also be used by users of the football pitches opposite the Ski Centre. Following the demolition of Madeley Court School and Leisure Centre there is no longer use of the pitches from the school. As part of the proposed residential development at the site of the former school it is proposed for recreational space to be provided for and it is envisaged for the Ski Centre to be able to offer changing room and shower facilities.

The Local Planning Authority is satisfied that there is no significant change to the scheme which would justify a different recommendation. The Council's Highways department raised no objections and existing car parking will remain unaffected.

Part of the application site is currently used for the siting of a metal storage container with the remainder being an unused grassed area. The proposed development in this location will not result in any loss of land currently used for recreational purposes and nor will there be any adverse impact on existing car parking provision. Officers consider the extension to be commensurate in size in relation to the existing premises and nearby neighbouring dwellings shall remain unaffected. The Local Planning Authority considers the design of the extension to be contemporary which will enhance the overall visual aspect of the site; thus complying with policies UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

RECOMMENDATION: to **GRANT PLANNING PERMISSION** subject to the following conditions :

1. Time limit
 2. Samples of Materials
 3. Car Parking
- Development in accordance with plans

TWC/2013/0401

9 Bayswater Close, Priorslee, Telford, Shropshire, TF2 9GY

Application for removal of condition 4 of TWC/2012/0423 relating to obscure glazing of windows in east elevation

APPLICANT

Mr Karpal Singh

RECEIVED

29/05/2013

PARISH

St. Georges and Priorslee

WARD

Priorslee

OFFICER

Sarah Clifton

APPLICATION HAS BEEN GREEN CARDED BY CLLR V FLETCHER ON
GROUNDS OF LOSS OF PRIVACY

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Loss of Privacy

PROPOSAL

This application seeks consent to remove condition 4 of TWC/2012/0423, and permission is sought to remove the obligation for obscure glazing of part of a first floor window that was imposed on the original decision notice. The condition sought to obscurely glazing the two outer opening panes of a three pane wide window, whilst maintaining clear glazing in the central fixed pane of the window.

Since the original proposal was approved, works to the extension have commenced and are almost complete. The applicant has inserted the new first floor windows frames however has not inserted any form of glazing until the outcome of this planning application is resolved.

BACKGROUND

Members may recall an application for a two-storey front extension at the above address being presented at Committee 22nd August 12. Although members considered the proposed extension to be acceptable, raised concerns with a loss of privacy to numbers 8 and 7 Bayswater Close and therefore asked that for the two side panes of the first floor (east side elevation) window to be glazed with obscure glass. It was also asked that no further windows or other openings could be formed in that elevation unless otherwise agreed by the Local Planning Authority.

SITE AND SURROUNDINGS

This is a two storey detached dwelling situated on a sizeable plot at the head of a cul-de-sac which forms part of a larger established residential area in Priorslee. The property sits on the largest plot of Bayswater Close and enjoys spacious amenity to the front and rear.

The house is a modern property finished in red facing bricks, painted render at first floor, concrete interlocking roof tiles and white upvc windows. The property features an almost complete two-storey side extension. An attached double garage sits to the side of the property with two car parking spaces available in front of the garage, providing a total of four on site car parking spaces.

Access to the property consists of a shared driveway which leads off Bayswater Close. This driveway is shared by No's 7, 8, 9 and 10 to provide access to the properties.

To the West of the property is a mature tree belt which provides privacy, amenity and acts as a buffer to the highway beyond. Neighbouring properties are of similar age, size and design with several properties having various forms of extensions. No.8, opposite has a detached double garage with a pitched roof which is situated alongside the applicant's front boundary.

SUMMARISED CONSULTATIONS

Standard consultation responses:

St Georges and Priorslee Parish Council: No response

Shropshire Fire Service: No comment

Cllr V Fletcher has green carded the application as The original permission contained the condition for the obscure glazing of windows in east elevation. This was to protect the amenity of adjoining residential properties who would be over looked by the proposed construction. Removal of the condition will be detrimental to the enjoyment and amenity of the adjoining properties and should be resisted.

Neighbour consultation responses:

Following consultation two neighbouring letters have been received, comments can be summarised as follows:

Planning committee acknowledged an issue of impact on privacy and sought to address this through the imposition of an obscure glazing condition to limit the sense of intrusion It is requested that planning committee uphold this decision.

It is considered there is no change in circumstances to warrant removal. Issues have been raised about removal of hedges and alterations to the porch construction.

RELEVANT HISTORY

TWC/2012/0423, two storey front extension and erection of a dormer window in association with the conversion of the loft in to habitable space, full granted 06/09/2012

W2003/1380, erection of a first floor extension over existing garage and erection of a single storey rear extension, full refused 12/01/2004.

RELEVANT POLICIES

National Planning Policy Framework (NPPF)

Core Strategy:

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS

The applicant considers the positioning of the new front facing window does not harm neighbouring privacy and therefore does not consider the need for two obscure panes necessary.

The removal of this condition to insert obscure glazing would be considered acceptable providing the resulting works would not have an adverse affect on neighbouring properties and complies with local and national policies.

Having visited the site and looked out of the windows to be glazed officers are satisfied that there will be no significant loss of privacy, given the orientation of the properties and the distance away from the proposed development. Views out of the first floor windows can be seen using the attached and labelled photographs. Photograph 1 shows views out of the front/east facing master bedroom window, affected by the condition.

Having looked out of the conditioned to be glazed window (see photograph 1) it appears to have less of an outward view of the adjoining properties than members may have anticipated when considering the scheme originally. Photograph 2 shows the outlook of the existing property and relationships to neighbouring properties.

Officers note that Telford & Wrekin Council use the 21m separations distance as a guideline only to assess impact on neighbouring properties and does not have an adopted standard minimum distance. Each case is assessed on its own merits. The proposed two storey front extension sits approximately 20.5m away from No.8 and approximately 18m away from No.7 and given the orientation of the properties and the distance away from the proposed development.

With regards to this having looked at and considered the difference in views from the existing and now as built views over neighbouring property frontages, officers are satisfied that there to be no significant loss of privacy by means of views through the front/east facing master bedroom window, which would warrant retention of the obscure glazing condition to part of this window.

With regards to the issue of the canopy and porch, it is acknowledged that these have not been built in accordance with the approved drawings. It should be noted that this application does not relate to this issue and can not have any bearing on the determination of this application. Members should note that the applicant is now in liaison with enforcement with regards to how this issue can be rectified.

In conclusion, officers have assessed the potential overlooking and are satisfied that there is no additional impact on relationships between the site and existing neighbours, which would warrant the retention of this partial obscure glazing condition to ensure adequate privacy is maintained for neighbouring properties.

The development is set an adequate distance from adjoining properties and is therefore not detrimental to the character and appearance of the site or the surrounding area. Officers do not consider the removal of condition to be harmful to the adjoining residential amenity or the local area, therefore considers the removal of this condition to be acceptable and compliant with policies UD2 of the Wrekin Local plan and CS15 of the Core Strategy

RECOMMENDATION to GRANT PLANNING PERMISSION subject to the following conditions

C01 -Finishing materials to match existing building
C38- Development in accordance with plan Nos.
DCUSTOM - Times of heavy construction vehicles/deliveries
DCUSTOM - Times of construction
I17 - Minerals Area
I25k - Bats and Birds
I40 - Conditions
I41 - Reason for grant
RANPPF1 Proactive Statement