

TWC/2014/0766

Land south of, 28 Beechfields Way, Newport, Shropshire

Outline application for the erection of 16no. dwellings (All Matters Reserved)

\*\*\*AMENDED DESCRIPTION\*\*\*

**APPLICANT**

Marches Care Ltd, Mandy Thorn

**RECEIVED**

28/08/2014

**PARISH**

Newport

**WARD**

Newport North

**OFFICER** Matthew Thomas

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Principle of residential development, Access, Impact on residential amenities and local character, S106 contributions and affordable housing provision

**PROPOSAL**

This planning application seeks outline consent for the erection of 16no. dwellings on land south of Beechfields Way in Newport. The application seeks permission for the principle of residential development only with all matters including access, appearance, scale, layout and landscaping reserved for later approval.

It is envisaged at this stage to provide x8 four bed and x2 five bed detached dwellings and x2 three bed and x4 two bed semi-detached dwellings. Each dwelling will be allocated their own private amenity space and on-site parking. To the north-west corner of the site, an area of public open space is to be provided.

The application is supported by an Extended Phase 1 Habitat Survey, a Highways Assessment and an Affordable Housing Statement. Indicative elevations and floor plans also accompany the application however these are for demonstrative purposes only and final details will be determined at a later stage.

**SITE AND SURROUNDINGS**

The application site lies to the south of Beechfields Way, an established residential development located off Forton Road in Newport. The site extends to approximately 0.88 hectares and has currently been used for agricultural purposes but recently the site has been left vacant. The site is relatively level and featureless other than mature trees and hedging along its boundaries.

Beechfields Way forms part of a wider established development built in the 1990's on the northern fringe of Newport. To the north, south and west is further residential development however immediately adjacent the site in the north-western corner is 'The Rylands Care Home'. To the east of the site are open agricultural fields.

The site is located within a sustainable location within close proximity to Newport town centre where there are a range of facilities and access to local schools. Within

close proximity to the site are the Newport RUFC and St Peter & St Paul RC Primary School.

## SUMMARISED CONSULTATIONS

### Standard consultation responses

Newport Town Council: Object subject to conditions

- Members are once again disappointed with another proposed housing development on a Greenfield site; there are brownfield sites available. Question whether there is a necessity or requirement for the housing needs of Newport to provide more development
- Members acknowledge that this site is identified in the emerging Telford & Wrekin Local Plan as a housing site in Newport
- Affordable housing should be kept on site and not substituted or commuted
- Standard for all build should achieve the requirements of the DCLG's code for 'Sustainable Homes Level 3' and Secured by Design
- The Public Open Space should be more central to the development and accessible and available to all residents
- Current wildlife, flora/fauna close proximity to the Canal and SSSI on this site provides a valuable environment amenity to the area and must be protected
- Recommend research and assessment of surface and land drainage

Highways: Comment – include following conditions

- B21 – Parking, Loading & Turning
- B20 – Road Design

Drainage: Support subject to conditions

- Scheme of foul and surface water drainage
- Greenfield run-off rates

Parks & Open Spaces: Comment

- S106 contributions of £600 per dwelling is required towards the upgrading/enhancing of local recreational facilities for children

Ecology: Comment – include following conditions

- Erection of artificial bird nesting/roosting boxes
- Landscape Design
- Lighting Plan

Natural England: No Objection

Education: S106 contributions of £42,629 towards primary & secondary education

Affordable Housing: No comments received

Shropshire Fire Service: Include Fire Authority informative

## Neighbour consultation responses

Following neighbour consultations, 28 letters of objections/comments were received from 18 neighbouring properties and the issues raised have been summarised below:

- Loss of privacy for neighbouring properties
- Inadequate infrastructure to accommodate proposed development
- Concerns of drainage of site, nearby flood plains and suitability for development
- Highways concerns – inadequate access/visibility. Existing congestion in and around the area and concerns of safety of residents/children
- Landfill gas site – unsuitable for residential development
- Loss of site which provides valuable local amenity
- Adverse impact on existing neighbouring amenities – loss of light, loss of privacy, disruption during construction
- Concerns over slope stability and levels
- Clarification required on proposed boundary treatments
- Previous planning refusals on this site – why should permission now be granted?
- Adverse impact on character of the area
- Loss of views
- Detrimental impact on local wildlife – close to Newport SSSI
- Newport has been subject to a large number of planning approvals in recent times – no need for additional developments
- Overdevelopment of site/Unsuitable layout – adverse impact on amenity of existing neighbouring dwellings
- Separation distances are not sufficient
- Unsustainable site
- Adverse impact on property values

### RELEVANT HISTORY

None

### RELEVANT POLICIES

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes

CS6 Newport

CS9 Accessibility & Social Inclusion

CS12 Natural Environment

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

H23 Affordable Housing

T22 Planning Obligations

- OL6 Open Land
- OL13 Maintenance of Open Space
- LR6 Developer contributions to outdoor recreation open space provision within new residential developments

## PLANNING CONSIDERATIONS

### Principle of Development

The National Planning Policy Framework (NPPF) advises that 'housing applications should be considered in the context of the presumption in favour of sustainable development' and encourages Local Planning Authority's to deliver a wide choice of high quality homes identifying the size, type and range of housing that is required in particular locations. The guidance seeks the development of brownfield land first and gives weight to strong designs; advising LPA's to refuse development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions. The application site is located within walking distance to Newport Town Centre where there is a range of facilities and good access to local schools, shops as well as having good links to public transport. On this basis, the Local Planning Authority is satisfied that this is a sustainable location suitable for residential development.

In accordance with the NPPF, Telford & Wrekin Council must identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of housing against its housing requirements set out in the adopted development plan, which comprises relevant saved policies in the Wrekin Local Plan and the Core Strategy (2006-2016). The Council maintains its position regarding the significant supply of housing land that exists across the borough, comprising committed sites and sites identified in the current Strategic Housing Land Availability Assessment (SHLAA). Nonetheless, a reassessment of the five year land supply position, particularly in terms of the deliverability of committed sites within five years, has produced a lower delivery figure of 2.5 years. This reassessment was carried out in the light of updated guidance issued in April 2014 on assessing housing requirements, the increasing number of appeal decisions and examinations that have occurred nationally which were favouring a more stringent approach to assessing the five year supply issue and one which the Council needed to respond to pro-actively. In the context of the Borough overall, the authority is facing a shortfall in house building rates and has a 2.5 year supply, which is less than the required 5 years. This has implications for decision-making on planning applications.

Having a 5 year housing land supply shortage indicates that para 49 of the NPPF takes on greater significance which states that 'relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites'. Paragraph 14 states that where the development plan is absent, silent or relevant policies are out of date, permission should be granted 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. This underlines that planning applications should not be considered on the grounds of housing supply alone and that they should be decided against the golden thread of the presumption in favour of

sustainable development. Consequently the proposal should not therefore be considered against the housing numbers set within Policy CS1; however the sustainability of the scheme should be tested against other local policies and the National Planning Policy Framework.

At a local level, Policy H6 (Windfall Sites in Telford & Newport) states that housing development will be permitted on land between 0.4 hectare and 1 hectare when the site can be adequately accessed and parking provided, the site can be adequately drained and when the Council is satisfied that there are no concerns over land stability or contamination. Furthermore, developments should not have an adverse impact on the local environment and should show a high quality of design. Development sites should also be situated in close proximity (less than ½ mile) to district or local centres or within 400m from a bus route with regular services. Finally, schemes should generally be of a higher than average density, and, where appropriate, provide footpath links to the bus route and improve bus access into the site. Policy UD2 (Design Criteria) provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

Turning to the Local Development Framework Core Strategy, Policy CS1 (Homes) states that housing development will seek to provide every household with an affordable, decent and appropriate home with a range of type, size and tenure to meet local need. Policy CS6 (Newport) states that development in Newport should support its role as a market town and respect and enhance the quality of the town's built and natural environments. Policy CS9 (Accessibility & Social Inclusion) aims to improve social inclusion and accessibility by making sure that everyone is afforded reasonable opportunity to access homes, work, schools, recreation facilities, food shops and other key services. Policy CS12 (Natural Environment) states that biodiversity will be protected from development and where possible enhancements will be incorporated in to proposals to ensure nature conservation. Finally, Policy CS15 (Urban Design) encourages developments which will assist in creating and sustaining safe places, strengthening local identity and positively influencing the appearance and use of the local environment.

### Access

Whilst this application does not seek approval for access at this stage, indicative layout plans demonstrate that access can be achieved directly off Beechfields Way. The access road will be dictated by the presence of an existing rising foul sewer which runs through the site from Beechfields Way to Islington Close to the south.

A Highways Statement accompanies the application and advises that visibility splays from Beechfields Way are 'far in excess of the requirement for a 30mph speed limit'. The Local Highways Authority have been consulted and have raised no objections in principle subject to the inclusion of appropriate conditions to ensure an acceptable road design is achieved and that there is adequate provision for on-site parking and turning.

### Drainage

The site is served by separate public foul and surface water sewers at the end of Beechfields Way. To the east of the site is the flood plain of the Strine brook however no flooding of this site has ever been recorded. The Council's Drainage Engineers have been consulted on the proposed development and have raised no objections to the scheme subject to the inclusion of conditions, requiring the submission of a foul and surface water drainage scheme appropriate for the site.

### Scale, Design & Impact on Residential Amenity

This outline application seeks approval for the principle of residential development and associated access only, with scale, layout, appearance and landscaping being reserved for later approval. The site access position affords safe visibility and there are no adverse level differences along this stretch of the highway to create safety issues. The indicative layout plan proposes sixteen detached and semi-detached properties each with their own on-site parking provisions. Private amenity space for each property will be provided to the rear with final landscaping and boundary treatment details to be agreed at a later date.

This application does not seek permission for layout or appearance and therefore more comprehensive design considerations can be dealt with by a subsequent planning application. At this stage, officers are satisfied that the overall character of this existing residential area of Newport will be preserved and the proposal will comply with design guidance contained in NPPF and local policies UD2 and CS15.

It is considered that the site is a sufficient separation distance from the adjoining residential properties with adequate screening remaining to ensure that the proposed development can be accommodated without detriment to existing residential amenities. Officers are satisfied that mutual privacy can be maintained between the proposed and existing dwellings and further screening can be incorporated in to a landscaping scheme, should this be required. Furthermore, matters relating to privacy, light and scale can be addressed at a later stage when consideration is given to the individual house types. Accordingly, through appropriate design considerations, officers are satisfied that the scheme can be successful in not having a significant adverse impact on the amenities of neighbouring properties by virtue of any detrimental loss of light, privacy or any overbearing impact.

### Ecology

An extended Phase 1 Habitat Survey has been submitted in support of this application. This report assessed the impact the proposed development would have on existing habitats, specifically birds, bats, reptiles and badgers and concluded that subject to appropriate conditions, there would be no adverse impacts on local wildlife. The report continues to consider the impact on designated sites including the Aqualate Mere and Newport Canal Site. Where there are such sites, Natural England are consulted however no objections were raised. The Council's Ecologist has raised no objections to the application subject to the inclusion of appropriate conditions including the erection of bird nesting/roosting boxes, an external lighting plan and appropriate landscape design.

### Affordable Housing/Developer Contributions

The proposed scheme originally included a 35% affordable housing provision, thus providing 6 on-site affordable dwellings. However, in accordance with local policies, given the nature and scale of the proposed development, the Local Planning Authority has requested the following financial contributions be provided for local community benefits:

- Education - £42,629
- Parks & Open Spaces - £9,600

The applicant expressed concerns regarding the requirement of 6no. on-site affordable dwellings together with the above financial contributions and the effect this would have on the viability of the proposed development. There are some financial anomalies relating to this site including a ransom strip which is located at the head of Beechfields Way, where the proposed access is to be constructed. The applicant has submitted a Viability Appraisal which advises that the scheme would become unviable should the above financial contributions be pursued together with the proposed on-site affordable housing. The applicant has engaged in discussions with the Local Planning Authority and following examination in to the feasibility of the project it has been agreed that the provision of affordable housing will be removed from the project and that a financial contribution be made to the Council for £105,326 under a S106 agreement. This sum will include the payments to Education and Parks & Open Spaces and will include one payment of £53,097 towards off-site affordable housing.

The heads of terms of this agreement are consistent with Regulation 122 of the Community Infrastructure Levy Regulations 2010. The need for a contribution towards local educational facilities reflects the link between a major development comprising solely large family houses and its impact on local school rolls. The negotiation of contributions is consistent with policy T22 of the Wrekin Local Plan and the guidance contained within the NPPF. In all respects, the sums sought are fairly and reasonably related to the scheme.

### Response to consultation

The Local Planning Authority has considered the representations received from Newport Town Council and local residents. Many of the issues raised relate to the impact the development will have on the amenity presently enjoyed by existing neighbouring properties as well as on the character of the area. However, this application is for outline consent only where it is only the principle of development that is being considered. Offices are satisfied that through careful consideration to design, layout, landscaping of the site at a later stage, there will not be a significant detrimental impact on the local area. Other matters raised relate to access and highway safety, drainage issues and the impact on local wildlife. These issues have been addressed and the Local Highways Authority, Council's Drainage Engineer and Ecologist all been consulted and have raised no objections to the proposals subject to the inclusion of suitable conditions. Loss of views and impact on property values are not material planning considerations. Finally, the LPA acknowledges the amount of recent planning approvals within the Town however in light of the evidence demonstrating the Council's lack of a 5 year land supply; the LPA is unable to refuse

planning application on housing supply alone. Newport is an established market town with excellent sustainable credentials and therefore is suitable for residential development in accordance with the NPPF.

### Conclusion & Recommendation

To summarise, the principle of residential development is considered acceptable in this sustainable location. Indicative layout drawings submitted as part of this planning application demonstrate that the development can be accommodated without significant impact on adjoining residential amenity, the prevailing character of the area, highway safety or the natural environment. The applicant has engaged in discussions with the Local Planning Authority to ensure that sufficient financial contributions are provided to go towards local recreation and educational facilities.

Accordingly, officers consider the proposal complies with the relevant national and local planning policies and recommend the application for approval subject to appropriate conditions.

That DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT PLANNING PERMISSION subject to the following:

- a) The applicant entering into a section 106 legal agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relation to:
- A contribution of £53,097 towards off-site affordable housing
  - A contribution of £42,629 towards primary and secondary education facilities,
  - A contribution of £9,600 towards off site recreation and play facilities
  - And 5% contribution of the total figure for monitoring contributions

b) and the following conditions to be attached:

1. A01 Time Limit – Outline
2. B002 Standard Outline – some matters reserved
3. B003 General details required
4. B011 Samples of Materials
5. B020 Road Design
6. B021 Parking, Loading, Turning
7. B061 Foul & Surface Water, including Greenfield Run-off Rates
8. B121 Landscape design, including enclosures
9. B130 Tree Protection
10. B150 Site environmental management plan
11. C013 Parking, Turning, Loading, Unloading
12. C100 Erection of Artificial Nesting/Roosting Boxes
13. C106 Lighting Plan

### Informatives

Ecology

Fire Authority

Broadband  
Section 106 Agreement