

**TELFORD & WREKIN COUNCIL**

**PLANNING COMMITTEE**

**21<sup>st</sup> May 2014**

Schedule 1 - Planning applications for determination by Planning Committee

**TWC/2013/0809 The Former Swan Centre, Grange Avenue, Stirchley, Telford, Shropshire, TF3 1UP**

Outline application with all matters reserved for residential development for up to 21 dwellings together with associated open space, landscaping and infrastructure  
\*\*\*\*\*AMENDED, DESCRIPTION, PLANS AND INFORMATION RECEIVED\*\*\*\*\* . **2**

**TWC/2013/1033 Land to the North of, Haygate Road, Wellington, Telford, Shropshire**

Erection of up to 330no. dwellings with associated landscaping, site access and public open space (Outline planning application with some matters reserved) ..... **16**

**TWC/2014/0010 Land adjacent Chillcott Drive, Madeley, Telford, Shropshire**

Erection of 44no. dwellings with associated access and landscaping..... **59**

TWC/2013/0809

The Former Swan Centre, Grange Avenue, Stirchley, Telford, Shropshire, TF3 1UP  
Outline application with all matters reserved for residential development for up to 21 dwellings together with associated open space, landscaping and infrastructure  
\*\*\*\*\*AMENDED, DESCRIPTION, PLANS AND INFORMATION RECEIVED\*\*\*\*\*

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

21/02/2014

**PARISH**

Stirchley and Brookside

**WARD**

The Nedge

**OFFICER**

Tim Williams

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of housing development in this location, planning obligations, highways and other matters

**THE PROPOSAL:**

A revised outline application with all matters reserved for a residential development for up to 21 dwellings together with associated open space, landscaping and infrastructure at the former Swan Centre, Grange Avenue in Stirchley, Telford that was demolished in 2013. Initially additional land formed part of the application and was for a scheme of up to 28 houses. With this area of land now being removed from the application boundary the number of houses, indicative layout and supporting documents and plans have been revised.

The application envisages a mixture of 2, 3 and 4 bedroomed properties at 2 storey heights, all of which would be for sale on the open market. An indicative layout for the site demonstrates that the quantum of development proposed can be developed and accommodated, along with associated open space, landscaping and associated infrastructure.

The main pedestrian and vehicular access to the former Swan Centre site is via Grange Avenue in the form of a priority junction. The access to the site is currently gated off. As part of the redevelopment of the site, it is proposed to relocate the site access further south than the existing location. Running along the southern boundary of the site would be a new footpath and cycleway linking Grange Avenue to residential areas to the north east of the site; this would replace an existing narrow footpath.

The applicant states that the redevelopment of the former Swan Centre site is related to the Telford & Wrekin Council 'Building Schools for the Future' programme.

Phase 2 of the Building Schools for the Future (BSF) programme involves the development of the Lakeside Co-operative Campus which will provide new buildings for the Lord Silkin School, Grange Park Primary School, a 32 place nursery and a 100 place Post-16 Centre. The Lakeside Co-operative Campus will be constructed on a site next to the existing Lord Silkin School. As part of the Lakeside Co-operative Campus the new Lakeside Academy is scheduled to open in September 2015 and Grange Park Primary School is planned to open in September 2016.

The Lakeside Co-operative Campus was granted planning permission in late 2013 following the approval of application TWC/2013/0661. The Planning Statement accompanying this application states the Lakeside Co-operative Campus and its associated facilities will be forward funded by the Council and will benefit from capital generated by the redevelopment of the former Swan Centre site for a residential land use.

#### SITE AND SURROUNDINGS:

The site subject of this revised application covers an area of 0.71 hectares and is square like in shape and comprises previously developed land associated with the former Swan Centre. The buildings that used to be present have been demolished and the majority of the site is now made up of hardstanding associated with the former use. The site contains a number of trees / hedgerows and unmaintained amenity grassland along its boundaries. Galvanised steel palisade fencing secures the site.

Levels vary across the site but in general the topography of the site rises from west to east. There is a significant level change in the centre of the site where the former buildings have been demolished. The upper level in the east of the site is dominated by grassed slopes up to approximately 10 metres higher in height, the top of which ties into the ground level of the open space beyond the boundary of the former Swan Centre site.

The northern and north eastern boundaries of the site are defined by the rear gardens of the properties of Castlecroft. To the east of the site is an area of open land beyond which is a Neighbourhood Equipped Area of Play. South of the site is the area to be developed as the Lakeside Co-operative Campus which adjoins the Stirchley Local Centre. To the west of site beyond Grange Avenue is the Mad Brook Nature Reserve and further west are public playing fields.

The Wrekin Local Plan Proposals confirms that the site is in the 'Built-up Area of Telford and Newport'. Part of the site also falls within the Green Network as indicated on the Wrekin Local Plan Proposals Map. These areas are afforded protection through policies OL3-OL5 of the Wrekin Local Plan (2000).

#### PLANNING HISTORY:

The site itself does not have any relevant planning history other than that associated with its most recent use as a Learning and Behaviour Centre. An outline planning application (TWC/2012/0594) for a new Lakeside Academy (formerly the Lord Silkin School) and Grange Park Primary School was approved with the Swan Centre being utilised as part of this development. However, a detailed planning application (TWC/2013/0661) for the Lakeside Co-operative Campus was granted on 11th November 2013 and does not now include the former Swan Centre site other than for use as an area for site construction area while building works take place.

#### PLANNING POLICY CONTEXT:

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Saved Wrekin Local Plan policies

Policy UD2 – Design Criteria

Policy UD3 - Urban Design Assessments

Policy UD4 – Landscape Design

Policy H9 – Location of new housing

Policy H10 – Scale of new development

Policy H22 - Community Facilities

Policy H23 – Affordable Housing

Policy T4 - Development principles

Policy T22 – Planning Obligations

Policy OL3 – Green Network

Policy OL4 – Development in the Green Network

Policy OL5 – Extensions and redevelopment in the Green Network

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 CS3 - Telford

Policy CS9 – Accessibility and Social Inclusion

Policy CS10 – Community Facilities

Policy CS 11 – Open Space

Policy CS15 – Urban Design

## SUMMARY OF CONSULTATION RESPONSES:

For all consultations received by the Development Management Team the following text below represents a summary of the salient points made in relation to the application. Full versions of all consultation responses can be viewed by Members of the Planning Committee via the Council's eplanning system.

### Development Plans – Support

Response identifies and discusses a number of policies from the Telford & Wrekin Core Strategy and the Wrekin Local Plan that are relevant to this proposal. The proposed development is in general conformity with local planning policy. Further advice should be sought from specialist officers in relation to the range and types of housing, the appropriate level of affordable housing, the density, scale, form and layout of the proposed development, access and parking, and any drainage, land stability and contamination issues that may affect the site and the proposed development.

### Sustainability – No comment.

Highways – final response awaited some interim comments provided as set out below.

There are issues surrounding the footway/cycleway between the residential area and the new Cooperative Campus. The school have also asked to retain the Swan Centre playing field and this seems to have been accepted. The upshot of this is that the existing footway/cycleway that splits the school from the playing field will have to be moved and this will have implications for this application possibly in terms of land take and the relationship to plots. Do not think this application can be determined until such time as the alignment for this footway/cycleway link has been agreed because it is suspected further changes will be required.

### Drainage – Support.

Full detailed drainage design should be provided with reserved matters application. This should include details on how the site will provide a minimum of a 30% betterment on existing flows. Any attenuation system must be capable of providing this betterment up to the 1 in 100 +30% event. Details on the future ownership of this system should also be submitted.

### Parks and Open Spaces – Comment.

The development will contain a number of properties which will contribute to the need of recreational facilities for the area. There are some nearby proposed play / recreational facilities for children and young people which could be upgraded in order to maximise the capacity and meet the need arising out of this development.

Therefore suggest that should development (if successful) provide 2 or more bedroom properties; that they meet this need through conditioning of WLP Policies

LR4 and LR6. This will also provide a community benefit in compensation for loss of Green Network (policy OL4). This could be provided by providing a contribution towards the upgrading of the nearest community use recreation facilities (which would serve the development area). Suggest an appropriate sum to request would be £600 per property in relation to this policy.

There is open space proposed within the development but no indication as to how and who is to manage this. Can it be confirmed whether the applicant requires the Council to adopt this land and if so identify which areas, so a commuted sum for maintenance can be provided / agreed. If this is not to be the council there will be a requirement for a landscape management plan which not only identifies how the area is to be managed but also identifies how this is to be funded. The applicants planning statement highlights that is accords with planning policy in this regard. However, until the method of maintenance (including how this is to be financed) is confirmed this is not accepted.

There are elements of landscaping proposed which would be difficult to maintain such as trees / open space within car parking bays or thin strips along proposed property boundaries or Highway. If these areas are to be conveyed to the individual properties this needs to be made clear.

Affordable Housing – Comment.

There is the opportunity for new housing schemes to include a proportion of homes that are affordable, as part of the developer's overall contribution to planning obligations associated with the development. The Council seeks to achieve 38% affordable housing on new developments in Telford, although this may be moderated to take account of viability or other factors.

There is a continuing shortfall of affordable housing in the borough to meet local housing needs, particularly to rent.

The applicant's proposals, as they currently stand, offers no affordable housing provision. The applicant states in the draft heads of terms that the inclusion of any affordable housing as set out in the viability assessment provided will reduce the capital investment to the new Lakeside Academy below the necessary level. A 'nil contribution' is therefore proposed.

The viability assessment is based on a schedule of 21 units which represents the latest scheme design. The values and costs presented reflect the current sales/build rates for the general marketplace and establish a residual land valuation in line with that expected for this locality in Telford. The profit shown at 22% of costs is below that widely accepted as the market threshold of 25% thereby supporting the nil contributions shown under the Section 106 category including no affordable housing provision.

Education – No objection.

Do not seek an education contribution from this development as it is believed that there will be adequate capacity available at the new school for pupils who may dwell on this site.

Arboriculture (Trees) – Object

No service run details submitted, Root Protection Area of tree closest to proposed plot 11 appears breached. Plots 11 to 15 appear to have split level rear gardens with steps and retaining walls. More details required.

Ecology - Comment.

There are no protected or priority habitats present on the site according to Mott MacDonald report (2013). Welcome the proposed retention of the boundary trees and hedgerows as shown on the proposed site plan. The trees on the site have no potential for roosting bats and the former Swan Centre buildings have already been demolished according to Mott MacDonald (July 2013). The site has some potential for foraging and commuting bats. There are no ponds on the site and the three ponds within 500m of the site were surveyed in 2012 for Great Crested Newt and none were recorded to be present according to Mott MacDonald (July 2013). No further surveys for amphibians are required.

Recommend the inclusion of conditions relating provision of bat boxes, lighting plan, and artificial birds' nests and ecology related informatives.

Environmental Health (Contaminated Land) – Support subject to conditions.

The proposed development is for a development of residential properties. There are some outstanding works required. Recommend that standard Land Contamination condition be imposed, should permission be granted:

Urban Design Officer – No objection.

No objection in principle to the redevelopment of this site for residential, but advise that the layout and design should be revisited and revised as part of the subsequent Reserved Matters.

Stirchley & Brookside Parish Council – Object

Object for the following reasons:

- The only vehicular access is via the entrance onto Grange Avenue. This is a busy road at peak times with a traffic calming system which does not work for the existing traffic flow. It will be the main entrance for the new Lakeside Academy.
- Section 5.3 of the planning statement refers to the exemption of the site from policy H23 for commercial needs. This is not a material consideration. The decision that the site should be exempt from affordable housing targets is in

conflict with the preferred option in the Shaping Places consultation document of 20%. Exempting this and other sites in the area is setting a precedent which will further reduce the councils identified need for housing in Telford. Councillors believe that the proposed housing mix is unsuitable for the area. More smaller homes, particularly single storey are need in the area.

- Concerns were expressed that any surface water run off does not affect the Madbrook Pools area which is in the process of being declared a Local Nature Reserve. Significant work is being undertaken by Shropshire Wildlife Trust to restore the water course down to Holmer Lake.

Shropshire Fire Service – Comment with Informative.

West Mercia Constabulary – No objection.

#### Local consultation and representations

No responses have been received.

#### PLANNING CONSIDERATIONS:

##### **Principle of housing development in this particular location.**

In accordance with the National Planning Policy Framework (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, the Core Strategy (2006-2016). Evidence has now come to light demonstrating only a 2.5 year supply exists, meaning that where the Local Planning Authority cannot demonstrate a 5 year land supply then relevant policies for the supply of housing should not be considered up-to-date. For Telford & Wrekin Council this means that Core Strategy policy CS1 (Homes) which identifies dwelling requirements for Telford, which seek to direct housing into certain locations in line with the Strategy. This means that applications cannot be refused on the grounds of housing supply alone and there will be a presumption in favour of sustainable development.

The site of the proposed development is such that it would be highly accessible for new residents in relation to schools, recreation and open space, sports facilities and food shops as they would be within such close walking distance of these facilities given the proximity of the site to Stirchley Local Centre and the Lakeside Co-operative Campus once it is built. The NPPF also supports applications that effectively use previously developed land and support the provision of improved educational facilities (Paragraphs 38 and 72). Accordingly the proposal is considered sustainable within the context of the NPPF.

In relation to local planning policies, Core Strategy policy CS3 (Telford) states that Telford will accommodate the majority of new homes and that the regeneration of its neighbourhoods, especially in the south of the town will be supported. The redevelopment of this site for housing and the related development of the Lakeside

Co-operative Campus would contribute towards the regeneration of this area of south Telford. The redevelopment of the site is also part of a wider regeneration initiative for Stirchley and improving the quality of housing in the area and as such is in line with Policy CS8 (Regeneration) of the Core Strategy.

Policy CS9 (Accessibility and Social Inclusion) states that development will promote sustainable forms of transport (including by public transport, cycling and walking), be located in existing centres to minimise the distance people travel, increase the safety of travel, and minimise the negative environmental impacts of travel including congestion, air pollution and noise. The development site is located in close proximity to Stirchley Local Centre and it benefits from good pedestrian and cycle links via the adjoining area of green space to west.

Policy CS10 relates to community facilities. This policy is relevant as the proposal sites last use was educational (Learning and Behavioural Centre). The policy states that the loss of existing land used for the benefit of the community will be resisted and that development for non-community uses will only be considered where a lack of need is demonstrated or acceptable alternative provision exists or is proposed.

The Lakeside Co-operative Campus (TWC/2013/0661) will provide new integrated educational facilities which will include a wider range of community benefits and will assist the regeneration of Stirchley. The associated redevelopment of this site for housing will therefore support the objectives of policy CS10.

Policy CS11 relates to open space. The Wrekin Local Plan Proposals Map indicates that the site falls within the 'Built-up Area of Telford and Newport'. Policies OL3 to OL5 of the Wrekin Local Plan relate to the Green Network. Only the northern part of the existing site falls within this designation which in fact was mostly covered by car parking.

Policy CS11 states that development on open space will only be permitted if it can be demonstrated that there will be significant community and environmental benefits delivered by the proposal. As stated above, the redevelopment of this site for housing is associated with the development of replacement school buildings and so it would help to deliver community benefits in the form of new educational facilities and it would assist in the regeneration of Stirchley.

Policy OL4 states that development in the Green Network may be permitted, provided that the proposed development demonstrates that there are exceptional circumstances, it contributes or is complimentary to the aims of the Green Network or that environmental and community benefits are part of the proposal.

As stated under policy CS11, the redevelopment of this site would provide significant community benefits as it is associated with the development of replacement school

buildings as part of the Lakeside Co-operative Campus and would therefore assist in the wider regeneration of the Stirchley area.

Policy T4 states that housing developments on sites over 0.4 hectares in Telford should be located close to an existing bus route with a regular service, except where it is located less than 800 metres from a Town or District Centre, or 400 metres from a local centre. Stirchley Local Centre is located approximately 250 metres to the south, so the proposal would be in conformity with this policy.

In conclusion, the proposed development is in general conformity with local planning policy. The only policy consideration is the fact that a part of the northern part of the site is located within the Green Network. However, as discussed above the proposal is associated with the development of a replacement education and community facilities adjacent to the site in closer proximity to Stirchley Local Centre and these will assist in the regeneration of this area of Telford. The proposals under consideration would therefore help to deliver significant community benefits as required by the Green Network and open space policies.

### **Lack of affordable housing provision and other planning contributions**

Policy H23 relates to affordable housing. This pursues an overall target of 38% of all new dwellings as affordable dwellings on sites above 0.5 hectares or 15 dwellings. The actual amount being dependent upon the specific circumstances of the site and whether there have been specific costs incurred to enable the site to be brought forward for development which would help fulfil other objectives of the Local Plan. As stated earlier in this report all the proposed properties are intended to be for sale on the open market.

In their Planning Statement the applicant argues that with regard to this site that there are exceptional circumstances relating to the fulfilment of other objectives in the Local Plan which make it inappropriate to provide affordable housing as part of this application.

The extenuating circumstances put forward principally relate to the Council's wider Building Schools for the Future Programme and the proposed Lakeside Co-operative Campus, which will deliver much needed new buildings for the Lord Silkin School, Grange Park Primary School, a 32 place nursery and a 100 place Post-16 Centre and other community based facilities. The proposed Lakeside Co-operative Campus is to be forward funded by the Council and will benefit from capital generated by the disposal of the Swan Centre site for residential development.

The fulfilment of wider local planning objectives and public benefit from the proposed Lakeside Co-operative Campus, which the sale of the application site would contribute to, is considered by the applicant to provide an alternative public benefit of equivalent if not greater value than the provision of affordable housing on the site

itself. The risk of imposing the cost of affordable housing on this site, and subsequently reducing the funding released from its sale is considered to be a significant hindrance on the potential to support the Lakeside Co-operative Campus and wider educational facility enhancements.

The comments received from the Council's Affordable Housing officer suggest that in light of the Viability Report submitted as part of the application the values and costs presented reflect the current sales/build rates for the general marketplace and establish a residual land valuation in line with that expected for this locality in Telford. The profit shown at 22% of costs is below that widely accepted as the market threshold of 25% thereby in any event the Viability Report supports the nil contributions shown under the Section 106 category including no affordable housing provision.

All the above provides evidence that the risk of imposing the cost of affordable housing and other contributions on this site, and subsequently reducing the funding released from its sale, would not only be unviable in its own right but that is considered anyway to be a significant hindrance on the potential to support the Lakeside Co-operative Campus and wider educational facility enhancements.

This matter has also been reported to Cabinet on 12th December 2013 whereby Cabinet resolved that authority be delegated to the Director: Development Business and Customer Services, in consultation with the Cabinet Member for Finance & Enterprise, to negotiate and enter into any agreement to maximise the receipt from the land sales in relation to disposal sites such as the Swan Centre to fully contribute to the cost of the BSF programme.

However, in order to ensure that the receipt of the sale of the site is used towards its intended purpose as outlined in the application and Cabinet resolution, a Memorandum should be signed in connection with any approval so that the funds raised from the sale of the land are directed to the delivery of the new Lakeside Co-Operative Campus in Stirchley. This essentially results in the 'ring-fencing' of the said monies towards the cost of the new Campus.

In light of the above, the wider regeneration benefits for Stirchley as a result of the enhanced educational facilities arising from the Lakeside Co-operative Campus, that would be delivered in part from the future sale of the site for open market housing, represents a scenario to allow the policy exception to the normal application of affordable housing requirements in this case of this particular application.

Similarly, for the reasons given by the applicant above their Draft Heads of Terms submitted with the application states that they do not wish to fund any recreation contributions (as requested by Parks and Open Spaces) together with Monitoring Contributions in this instance. Again, given the circumstances described above this

is considered acceptable and the lack of these additional contributions will not create significant harm that outweighs the need for additional housing and would therefore sustain a reason for refusal.

### **Highways and other matters**

The comments made by the Parish Council with regards to the vehicular access are noted. On this issue TWC Highways has not given its final response as there are other issues surrounding the provision of an upgraded footway/cycleway between the residential area proposed and the new Cooperative Campus which is required to be delivered as part of the Campus development. The Academy has asked to retain the Swan Centre playing field and this is the reason behind the current proposals being smaller in size than originally submitted. The upshot of this is that the existing footway/cycleway that splits the school from the playing field will have to be moved and this will have implications for this application possibly in terms of land take and the relationship to some of the plots shown on the indicative layout. There are ongoing discussions regarding the alignment for this footway/cycleway. Further clarification on this particular matter will be reported as an Update to this Report to Planning Committee.

In relation to the layout, appearance, scale and landscaping of any residential, the application is in outline with all matters reserved for subsequent consideration, so the layout of the site as shown in the plans submitted are only indicative and would not be approved as part of this permission. With layout being a reserved matter any permission granted would then be able to consider these issues during the determination of any reserved matters application.

The Council's Tree officer has objected to the application, this primarily relates to the requirements for further information which has subsequently been provided by the applicant. Updated comments are awaited on this and these will be reported as an Update to this Report to Planning Committee.

### **Conclusions**

Evidence has recently come to light demonstrating that there is only a 2.5 year supply of deliverable housing sites which exist in the Borough, meaning that where the Local Planning Authority cannot demonstrate a 5 year land supply then relevant policies for the supply of housing should not be considered up-to-date. This means that in accordance with the NPPF applications cannot be refused on the grounds of housing supply alone and there will be a presumption in favour of sustainable development.

The site of the proposed development is such that it would be highly accessible for new residents in relation to schools, recreation and open space, sports facilities and food shops as they would be within walking distance of such facilities given the proximity of the site to Stirchley Local Centre. The NPPF also supports applications

that effectively use previously developed land and support the provision of improved educational facilities (Paragraphs 38 and 72). Accordingly the proposal is considered sustainable within the realms of the NPPF.

As highlighted in this report the proposed development is in general conformity with local planning policy. The most significant policy consideration is the fact that a small part of the site is located within the Green Network. The redevelopment of this site would provide significant community benefits as it is associated with the development of replacement school buildings as part of the Lakeside Co-operative Campus and would therefore assist in the wider regeneration of the Stirchley area. It would therefore help to deliver significant community benefits as required by the Green Network and open space policies.

The application proposes a scheme where there is no affordable housing and no financial contributions towards the upgrading of the nearest community use recreation facilities that would normally be a requirement of this type of development. The extenuating circumstances put forward by the applicant (the Council) relate to the Council's wider Building Schools for the Future programme and the proposed Lakeside Co-operative Campus, which will deliver much needed new buildings for the Lord Silkin School, Grange Park Primary School, a 32 place nursery and a 100 place Post-16 Centre. The proposed Lakeside Co-operative Campus is to be forward funded by the Council and will benefit from capital generated by the disposal of the Swan Centre site for residential development. The risk of imposing the cost of affordable housing and other contributions on this site, and subsequently reducing the funding released from its sale is considered to be a significant hindrance on the potential to support the Lakeside Co-operative Campus and wider educational facility enhancements.

The wider regeneration benefits for Stirchley as a result of the enhanced educational and community facilities arising from the Lakeside Co-operative Campus, that would be delivered in part from the future sale of the site for open market housing, represents a scenario to allow the policy exception to the normal application of affordable housing and recreational requirements in the case of this particular application.

In any event the Viability Report accompanying the application has been reviewed and it has been accepted that contributions towards affordable housing and open space would make a residential scheme unviable lending further support for policy exception on this matter.

Other matters that have been raised during consultation the process can be addressed by the imposition of planning conditions to any consent granted in addition to planning contributions via the signing of a Memorandum in lieu of a Section 106 legal agreement.

## Recommendation to Planning Committee

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

- A). Confirmation from TWC Highways that they do not object to the planning application.
  
- B.) The Council as landowner agreeing to provide a Memorandum signed by the Assistant Director Development Business and Housing agreeing that the Council as landowner will pay the contributions (i), (ii) and (iii) below either upon the sale of any of the development land or upon commencement of the development whichever is the sooner (precise terms to be agreed by the Development Management Service Delivery Manager).
  - (i) That commuted sums of money for the maintenance of the open space and any surface water attenuation feature on site to be agreed prior to development.
  - (ii) That funds raised from the sale of the land are directed to the delivery of the new Lakeside Academy in Stirchley.
  - (iii) Any contribution as requested by TWC Highways.
  
- C.) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager) to include any deemed appropriate following final comments from TWC Highways and TWC Arboriculture (Trees):
  - 1. A01 Time limit - Outline.
  - 2. A03 Time limit – Submission of Reserved Matters.
  - 3. B01 Standard outline all matters reserved.
  - 4. B010 Details of materials.
  - 5. B57 Land Contamination.
  - 6. BCustom Drainage design details to include 30% betterment on existing flows.
  - 7. BCustom External lighting scheme details.
  - 8. B120 Details of enclosure.
  - 9. BCustom Open space management and maintenance.
  - 10. B150 Site Environmental Management Plan for construction works.
  - 11. CCustom Provision of Bat boxes.
  - CCustom Provision Bird boxes.
  - 12. C038 Development in accordance with deposited plans.
  - 13. DCustom Maximum number of dwellings permitted to be 21 units.

Informatives:

I06 – Memorandum agreement

I32 – Fire Authority

ICustom – Ecology informatives

ICustom – Highways

I40 – Conditions

I41 – Reason for grant of permission

RANPPF - Approval – National Planning Policy Framework

TWC/2013/1033

Land to the North of, Haygate Road, Wellington, Telford, Shropshire  
Erection of up to 330no. dwellings with associated landscaping, site access and public open space (Outline planning application with some matters reserved)

**APPLICANT**

Gladman Developments Ltd

**RECEIVED**

20/12/2013

**PARISH**

Wellington, Wrockwardine

**WARD**

Ercall, Haygate, Wrockwardine

**OFFICER**

Gareth Thomas

**MAIN ISSUES:**

Principle of development at this location, loss of agricultural land, housing need, impact on historic assets, highway and traffic issues, surface water and foul drainage, open space and play provision, ecology and wildlife habitats, pollution and amenity considerations

**PROPOSAL:**

The application seeks outline planning permission for up to 330 dwellings, of which 25% would be affordable with an agreement that an element of affordable housing could be provided off-site should the Council wish to pursue such an option. The proposal includes the provision of highway and infrastructure works, formal and informal open space, including a NEAP and a LEAP and associated landscaping.

Other than access, all other matters – appearance, landscaping, layout and scale are reserved for subsequent approval. The application is accompanied by the following documents:

- Planning Statement and section 106 Heads of Terms
- Design & Access Statement
- Historic Environment Assessment and Heritage Statement
- Affordable Housing Statement
- Economic Impact Assessment
- Landscape and Visual Impact Assessment
- Ecological Appraisal and Breeding Birds survey
- Transport Assessment
- Travel Plan
- Air Quality Assessment
- Noise Assessment
- Flood Risk Assessment
- Statement of Community Involvement
- Development Framework Plan (in the form of a draft master plan)
- Addendum to Design & Access Statement

The application seeks to demonstrate that in principle, the proposals have taken account of public commentary following the pre-application community engagement exercise; the proposals have identified correctly the amount of development, the uses for the site including areas of open space and leisure/recreation facilities and the likely proposed built form across the site. The applicants also suggest that the proposed mix of housing including affordable housing is an appropriate response to meeting the housing needs of the Borough and Wellington having regards to viability and that the whole will be sensitively integrated into the fabric of this equally sensitive rural-urban fringe location and attractive gateway into Wellington.

The proposed development will be served by a single access onto Haygate Road. The application is accompanied by a Transport Assessment, which the applicant suggests has properly taken into account highway impacts arising from the proposed access arrangements. The proposal will provide adequate mitigation for off-site highway impacts, including the making of financial contributions that will combine with other developer contributions to upgrade a number of pinch points on the existing highway network.

A Screening Opinion request under Environmental Impact Assessment Regulations was issued on 26<sup>th</sup> February 2013 indicating that the application did not fall as a EIA development requiring an Environmental Statement.

The applicants Gladman Developments Ltd promote development opportunities through the planning process, acting on behalf and supporting landowners to gain planning permission where appropriate.

#### SITE AND SURROUNDINGS:

The site area amounts to 15.2 hectares and is situated to the north of Haygate Road, a principal artery into the market town of Wellington. The site is bounded to the north by open countryside, to the west by Orleton Park and the Wellington Cricket Club, a premier cricket club within the region and to the east and south by the existing built up area of Wellington. Beyond the Cricket Club is the Holyhead Road/Haygate Road 'T' junction. Junction 7 of the M54 is located approximately 500 m from the junction of Holyhead Road and Haygate Road.

The site boundaries are predominantly defined by hedgerows and comprises gently undulating farmland. The site contains ten veteran trees, including oak together with many other mature trees. Some 14 of these trees are Category A (High Quality/Value) trees and 11 Category B (Moderate Quality/Value) trees. A Tree Preservation Order covers many of these trees.

The site lies directly adjacent to the Historic Orleton Hall and Park to the south-west. This land is registered under the Historic Buildings and Ancient Monuments Act within the Register of Historic Parks and Gardens held by English Heritage for their

special historic interest. The Grade II Orleton Park includes the grounds and formal gardens that surround Orleton Hall a Grade II\* 18<sup>th</sup> century mansion which is located within the far north of these grounds. The park covers approximately 25Ha and includes the cricket ground and clubhouse at the western extremities. The plan accompanying the registration includes a lodge and tree lined avenue leading to the mansion from Watling Street (Holyhead Road) and is likely to have formed the original main entrance. The Hall itself is generally hidden from view but the original intention of creating an architectural park in the foreground with the Wrekin in the background remains an important feature at the hall itself.

The Old Orleton Inn, a Grade II Listed Building is located at the junction of Haygate Road with Holyhead Road some 150m to the south on the opposite side of Haygate Road with frontage onto Holyhead Road. Its side elevation windows face the Cricket Club and grounds but also, at an oblique angle, the application site.

Residential development lies immediately to the site's eastern and north eastern boundaries and on the opposite side of Haygate Road to the south-east. The residential properties closest to the site comprise a mix of predominantly mid 20<sup>th</sup> century dwellings of varying character, many characterised by hipped roofs and strong bay window features to the front elevation, built with red brick and rosemary roof tiles. A suburban quality appears to dominate with dwellings set back from the road.

Beyond the site's northern and north-western boundaries lies open countryside within the Wrockwardine Parish.

Wellington Town Centre is located to the north east of the site along Haygate Road. The market town offers a wide range of services, facilities and amenities, in addition to good bus services and an active railway station connecting the town to the wider Telford Borough and the west coast main line.

## SUMMARISED CONSULTATIONS:

### Standard consultation responses.

**Wrockwardine Parish Council** opposes the proposed development on the grounds that it conflicts with the existing land allocation, inadequate highways considerations, proposed density and conceptual design and a lack of information in the supporting documentation including the Breeding Birds summary and especially on a site of such importance to Wellington in its setting of a listed building and the Shropshire Hills Area of Outstanding Natural Beauty and urges the Borough council to refuse the application.

**Wellington Town Council:** The Town Council wished to object to the application on the following grounds: Planning Policy – that the proposed development lies outside the current Telford New Town boundaries, the land had not been identified within the Telford & Wrekin Core Strategy nor had the land been identified as a preferred development option within the Changing Places Consultation documentation. Local Plan – the Borough along with a number of other local planning authorities was not in possession of a current Local Plan and indeed in T&W's case a local plan would not be in existence until 2016. Accordingly there was no housing need assessment for the proposed site; evidence of a poor housing supply record thus making the Borough open to speculative development applications and proposals on green field sites when there were sufficient brown field sites available. Traffic – the proposal if approved would lead to increased traffic and vehicle movements over and along Haygate Road and the locality. Layout and Density – it was considered that the initial proposals of the provision of 330 houses on the proposed site were disproportionate and inappropriate for the area. Whilst it was accepted that the application was only outline at this stage it was considered that in order for the proposed number of dwellings to be incorporated would lead to a high density estate with indistinguishable housing types, inappropriate for the locality. Historic Aspect – the proposed development land was considered to be prime agricultural land, which had been recognised by English Heritage. The land formed a welcoming vista into Wellington, which would be lost if the proposed development was approved. Character of area – it was considered that the proposed development would change the look and feel of the locality. Infrastructure – the Council considered that the proposed development would place further adverse effects on the present infrastructure within the locality. Highway – the Council agreed that the proposed development would place extra traffic movements within the vicinity and would lead to possible highway safety concerns together with associated access issues and was as a result detrimental to the amenity value of the locality.

**TWC Highways:** No Objection subject to conditions relating to the following:

Access: The access off Haygate Road taking the form of a connector road before forming a fully closed loop arrangement (specifications detailed in full and to be conditioned). In addition, an emergency vehicular access to be provided off West Road. Other highway related conditions to include the design of all roads, footways including street lighting, drainage etc. and submission of regular Travel Plans over a five year period. The Highway Authority also recommends that the Council enters into a section 106 Obligation to require appropriate financial contributions towards traffic signal junction improvements schemes at Haygate Road/Holyhead Road/Oaks Crescent crossroads junction; Haygate Road/Wrekin Road/Bridge Road Junction; B5061 Roman Road/Holyhead Road Junction; secondly, towards bus stop infrastructure improvements on Hollies Road and associated pedestrian connectivity works to West Road; thirdly towards traffic calming in the vicinity of the site, and; thirdly towards Travel Plan monitoring and support.

**Highways Agency** – Initially served a Holding Direction. Following discussions with the applicant, it has now been determined that the impact on M54 J7 is minimal, with previous modelling results appearing to be the result of the PICADY software and the unique junction arrangement (i.e. the major arm of the junction gives way to the minor arm). Circular 02/2013 states that where capacity is available at the opening year, mitigation should not be requested. As the capacity is sufficient, mitigation is therefore not required and the holding direction previously imposed can now be lifted.

**TWC Development Plans Section:** Given that the Council is currently unable to demonstrate a five year supply of deliverable land against its targets, the Council's housing land supply policies are considered out of date until such time as this situation is remedied. The key policy consideration is therefore the National Planning Policy Framework (paragraph 49), which states that housing applications in [this] context should be considered against the presumption in favour of sustainable development. Further advice on this is set out in paragraph 14 of the framework. In terms of the scheme merits the scheme is located around 800 metres from the centre of Wellington, which is considered to be within walking distance to a wide range of local services and facilities for new residents. Supporting uses are also proposed including public open space and play facilities for young children i.e. a locally-equipped play area, as well as facilities for older children i.e. MUGA/Skate Park, in line with Wrekin Local Plan Policy LR6 and Core Strategy Policy CS10 (Community Facilities). The provision of these facilities will be important as the development will generate additional demand for such facilities in the local area. The scheme will deliver, once built out, a mix of housing types and tenures to meet the range of needs in the area. This will include provision for affordable housing, in line with Wrekin Plan H23 (Affordable Housing) and Core Strategy Policy CS7 (Rural Area). On this basis (and subject to the scheme being acceptable on all other relevant planning considerations) the scheme, once built out, would constitute sustainable development in line with the national planning policy framework. Indeed, due to the site's location relatively close to the centre of Wellington, albeit outside the existing development boundary, its proximity and overall design does not raise any adverse impacts from a policy perspective that would outweigh the benefits of the development.

**TWC Drainage:** Whilst the Flood Risk Assessment (FRA) produced for the site has identified that the site is not currently at risk of flooding, the details on how surface water flows will be managed on site are limited. Condition: Development shall not take place until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall restrict surface water run off to 5 litres per second per hectare and any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +30% for climate change. The approved details shall be implemented in full prior to the first occupation of the development. Condition: Development shall not take place until a scheme of foul and surface water drainage, which shall include

proposals for sustainable urban drainage, has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before occupation of the first dwelling on the site, or in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority. Condition: Development shall not take place until details on the capacity of the receiving ditch course to accommodate the proposed flows should be submitted to and approved in writing by the Local Planning Authority. If this is found to be in a poor condition, off site works to bring this up to an acceptable standard may be required. The scope and extent of these works should be agreed with both TWC as the Land Drainage Authority and the relevant land owners. For information, The FRA states that the required surface water storage volume will be provided by a large below ground storage facility. For a development of this size TWC would be looking for above ground storage located in an area of POS. Should this be provided TWC would be willing to adopt this feature and associated swales subject to the agreement and provision of an appropriate commuted sum. Below ground storage would not be adopted, and details of future ownership should be provided.

**TWC Parks & Recreation:** It is noted that the proposed development is adjacent to the only registered Historic Park (been there since at least 1792) within the Borough. English Heritage will need to be consulted on this to gain their input. Initial proposals appear to provide a buffer to retain the parks setting, however this would only occur over time as planting will take time to grow and may have an immediate visual impact without establishing the planting prior to starting work on the housing. Therefore, substantial planting should be planted and established prior to starting to minimise the impact upon the historic park. Perhaps this can be looked into as a condition as part of establishment works prior to starting building.

The proposal is outside the boundary of the town. As such, I believe a suitable request to meet local plan policy exceptions would be environmental / community benefits to the nearest publically available public park at Bowring Park. This would also somewhat mitigate the potential impact on parks provision this development may generate from its residents as well as to somewhat offset the potential impact upon the Historic park. TWC have established a Bowring park management plan which identifies a number of works to make improvements to the park for the community. This includes additional recreational / play facilities, additional car parking, picnic areas. It should be noted that the current public toilets and pavilion is burnt out and the council are working in partnership with the town council to bring this back into use. A suitable contribution towards these works would be £100k.

In initial drawings there appears to be an easement which appears to go beneath trees (or their root protection areas) and possibly beneath the proposed NEAP. This would not be acceptable to either the tree officer or myself in regards to the positioning of the NEAP and would need to be clarified / amended to realign around these existing and proposed features. The NEAP may also be beneath the canopy of

trees which would also not be acceptable. The NEAP is welcomed but I would welcome input on the NEAP design with the developer, to alleviate any issues particularly if the council are being requested to adopt these facilities / POS areas). The size requirement for the NEAP may also affect the buffer zone requirements of proximity to residential properties, although it may be possible to accommodate the NEAP in the current proposed POS depending upon the exact location of the trees / easement. NEAPS should be 30m away from the edge of the facility to the boundary of any residential property. Therefore, the design of any future layout needs to consider this should the application be approved.

There is no phasing plan for the proposal and I would ask that the play provision be specifically included in this plan to highlight when this is to be provided. This should be prior to 50% of the occupation of the development and should be built prior to the sale of any overlooking housing to ensure the purchasers are fully aware of the play facilities upon purchase.

The public art facilities should be located within the development perhaps on the entrance of the site as a focal point.

The developers are not providing any direct sports facility contribution and this size of development is likely to generate the need for additional sports pitch provision. The adopted playing pitch strategy highlights this area as already deficient in sports pitch provision and the increase in residents arising from this development will increase the demand and therefore the deficiency. Nearby provision could either be brought back into use / upgraded to maximise its potential to accommodate this increased demand. As such, I would suggest sports pitch primary and secondary drainage works to increase and maximise use to accommodate the need arising from the development. A contribution of £130k towards this work is requested and could assist in bringing back to use a sports pitch immediately adjacent to the site. The location of this sports pitch is immediately adjacent proposed housing in the north of the site and the layout needs to consider addressing the issue of potential ball loss from the pitch towards the housing located nearby.

On the framework plan it identifies a footpath upgrade. If this is the offsite footpath which goes from the north of the development towards the football pitches this is to be welcomed. Please confirm this is correct and we would require details of the proposed upgrade at the appropriate time.

There appears to be a lot of public open space within the proposed layout plan, much of which is high maintenance. I would welcome the opportunity to input into the design of the open space to advise upon reducing the cost of maintenance to the developers future managers of this land. Can you confirm who is proposed to maintain this open space and if not conveyed to a property(s) to maintain, whether the developer wishes the council to adopt with an appropriate commuted sum for

maintenance? Should the applicant wish for the council to adopt this POS a commuted sum for maintenance will be required and this should be agreed within a S106 alongside any other capital sums. A long term management plan is required to be conditioned to determine the specific maintenance and this also needs to highlight who is to maintain this POS land and if not the council, to include how this maintenance is to be financed in the long term.

There does not appear to be much of a suds system in place and any additions would affect the POS design and maintenance. Can you confirm that there will not be any further requirement for SUDS? A swale is close to the equipped play area. Can you confirm whether this feature will be fenced as it may be seen as a hazard for children. It may be that as highlighted above that with a number of issues to resolve with the NEAP that we meet with the developer to look more specifically at the design of the NEAP which could rearrange the facility areas more productively.

### **TWC Landscape Officer**

At this stage these can only be broad and strategic in nature. Clearly the site has been identified by the 2009 Landscape Sensitivity and Capacity as being medium to high – particularly as a result of the proximity to the Historic Park.

The 2009 study makes the following references to sites within the proposal site :

Site TWWe3 – 43 ‘ The site is not appropriate for housing development ..’

Site TWWe5 – 49 ‘ The area has no capacity for housing’

These statements – provide useful information regarding the severity or otherwise of the issue. However, it is not the function or position of the study to determine the response to that information, i.e. its purpose is only to highlight the issue.

Notwithstanding this, clearly there are sensitive landscape issues (inappropriate visual impact upon the historic landscape being the primary issue) which merit attention and it is recommended that these are appropriately addressed in the following 2 ways:

- As part of a parameter plan enshrined as a Condition of the Outline
- Detail measures as part of a RM which might include such features as stand off to the historic park, high quantity and quality of green infrastructure (not to mention general layout and architectural measures)

Important issues of water, drainage and flooding have been identified. Designing ground levels, etc. using sustainable approach (which is about using all elements such as layout– not just swales and retention ponds) and green infrastructure should be used to design out the problem.

Clearly the development will be seen from the Wrekin and AONB (just as existing Wellington is seen). Whilst this does not necessarily prevent development, it does place a responsibility on the development to be sympathetic to the landscape setting. The bold use of green infrastructure can often help to assimilate development into the natural landscape – but is only fully achieved where there is a sensitive dialogue between green infrastructure, layout and architecture.

## The LVIA

The report refers to a series of issues, particularly in respect to the landscape sensitivity of the site, the proximity to the Registered Historic Park, neighbouring development and the proximity to and views from the Wrekin/AONB.

The report identifies measures which it believes are necessary to address those issues. In most cases they go further – and state that the scheme will be provided.

It therefore follows that if these features will be provided then they should be acknowledged in the Outline. The best way in which they can do this is to be expressed within a Development Framework and Code.

Those issues include :

- a. The importance of the provision of an integrated scheme design.
- b. Paragraph 4.3 ‘ensuring a young stock of hedgerow trees’
- c. Paragraph 4.26 ‘Existing mature trees within the site are a prominent landscape feature’
- d. Paragraph 5.3 ‘The new housing will be set within a robust framework of green infrastructure of retained trees and hedgerows as well as new tree and shrub planting.’
- e. Paragraph 5.4 ‘key landscape features will be reinforced by the introduction of new tree and hedgerow planting. Setting the development within a robust green infrastructure will assist in further assimilating the built development into the landscape context’
- f. Paragraph 5.5 ‘ The green infrastructure will be designed and managed to encourage biodiversity, landscape and sustainability benefits and will include a mix of connected habitats that, in turn, connect with existing hedgerows and trees both within the site as well as the wider landscape.
- g. Proposals for the landscape include:
  - Existing trees and hedgerows will be retained as part of an interconnected network of open space and green corridors, which will provide opportunities for habitat creation, movement, amenity benefits and recreation;
  - Creation of a significant landscape buffer along the south-western boundary adjacent to Orleton Park in order to preserve the setting of the Registered Historic Park and Garden. New tree and shrub planting will be designed to integrate with existing landscape features and help to assimilate the development within its setting;
  - Creation of a significant landscape buffer consisting of native tree and shrub planting combined with reduced scale development where the site adjoins open land to the west to provide a positive filtered edge to the countryside;
  - Tree planting along the internal access road as well as on plot planting to help further integrate the development into its surroundings and soften its overall appearance;

- Wetland habitats with marginal and aquatic planting within sustainable drainage features throughout the development.
- h. Paragraph 5.6 The development presents an opportunity to integrate with and enhance the existing landscape features to present a positive filtered edge to the wider countryside, setting of the town and Orleton Park through provision of significant new tree and shrub planting.
- i. Paragraph 6.6 New housing will be set within a robust and attractive framework which will comprise an interconnected network of green corridors, open space and landscape buffer planting.'

In addition to 'natural issues', the LVIA also makes reference to a number of general and architectural development features which should also form part of any Development Framework and code. These include :

- Paragraph 5.7' With regard to built development, a palette of muted colours is considered to be most suitable. Darker hues to building roofs are likely to be beneficial in visual terms, particularly where the development will be distantly visible'.
- 6.0 Assessment of effects ' the development has been set back from the south-western and western boundaries behind a belt of tree and shrub planting and areas of open space.
- 6.0 Assessment of effects ' new built development will; be carefully designed to reflect local vernacular styles and materials

### **TWC Urban Design Officer**

The primary purpose of a Design & Access Statement (D & A) in support of an Outline Application is to identify the relevant site and contextual issues as well as to demonstrate and test the ability to achieve a viable scheme within the parameters and constraints identified in the D & A. In this respect the purpose of an illustrative layout/ scheme which is most frequently included in a D & A is as an overall impression of a tested solution that would work within the parameters.

Although there has been considerable work on developing an illustrative masterplan with this application, it is considered that the D & A Statement does not give sufficient emphasis to the contextual issues, which are listed as follows;

- Location: this is on edge of town, where there is an existing edge to the settlement which is not immediately apparent from the approach to the west. The views across to the site on approach are heightened because of the change in level, i.e. the site is situated lower than the main road and consequently land can be clearly seen as being green and open apart from one or two buildings along the road to the cricket club and Orleton Hall beyond. So this proposal will bring about a fundamental change from what exists now, to what is proposed, but unfortunately the potential impact of that hasn't been conveyed in this document at all; for example, what will actually be seen along this edge and beyond particularly as it is noted that all the longer or bird's eye views seem to be shown from the north (rear) of the site out towards the Wrekin and not looking in? In summary, the landscape and

the roofscape are going to be key elements on the western edge and whilst the above comments respond to the former, the latter doesn't seem to feature at all in this document. The layout, form, materials and detail e.g. chimneys are all crucial to this issue as is the need to respond and reflect the topography to ensure that units complement the land form rather than trying to level it out and work against it.

- Constraints:
  1. Adjacent existing units: currently there are a number of units that overlook this site directly or indirectly which have been highlighted as “social and neighbourhood constraints” and need to be expanded upon to show how it is intended to respond to them; e.g. are all the dwellings going to have some sort of landscape buffer between them and/or the new development; is there going to be some assurance that there will be no units overlooking existing back gardens, etc ? This particularly relates to the dwellings that sit adjacent to the boundary off Haygate Road, including the pair of semi detached units at the entrance to the cricket club, plus the properties along Woodlands Road which sit below the existing ground level, so site sections would have been useful here.
  2. Electricity substation: located in the corner of the site but not marked or mentioned in this document as a constraint.
  3. Views: there are additional views to the church tower to All Saints Church in the centre of Wellington to the east of this site above the roof tops again which have not been picked up in this document.
- Opportunities: whilst there is a section on constraints and opportunities: it seems odd that no opportunities as such are listed, unless these are listed under the subsequent evaluation section ? Under this section, it is advised that the objectives listed are as the “result of consultation responses”, are these from the public consultation exercise or from officer's? In the next section; under “Consultation” it highlights a public consultation exercise but gives no summary of the key issues raised, why ? It would be helpful to know from local knowledge if there are any other issues that have not been raised or identified so that this too can inform any subsequent proposals.
- Listed buildings: Whilst there aren't many listed buildings in the vicinity of this site, there is one which has been highlighted on p21 as a “gateway building” in the historic section but not as a listed building. The Old Orleton is listed grade II and was formerly known as the Falcon Hotel (SJ 61 SW 27/576 on Holyhead road. Its description is Late C18. Red brick house with hipped plain tile roof, formerly Haygate Farmhouse. Moulded brick dentil eaves cornice. Three-storeys. Four windows. Sashes with glazing bars, ground and first floor flat brick arches with keyblocks. Ground floor right-hand splayed bay with sashes also having keyblocks. Central doorway with stuccoed Roman Doric porch. Brick end chimney stacks. C18/19, 2-storey, 2 window wing to right-hand (east). Shaped gable to rear and pointed arch stair window. How many of these features are characteristic of the area, whilst chimneys seemingly are, what about the plan form, storey height, brick, roof, etc ? Which are considered key and can they be summarised ? (see below also)

- Local vernacular: in various places in the document it refers to the need to “respond to the existing built context of Wellington” and also the “local vernacular”. Under the evaluation it also suggests that the local townscape characteristics will be used to ensure that a development is created that will respond positively to its immediate context. Whilst this is a good aspiration, unfortunately it is considered that the work in regard to the built context, e.g. what the local vernacular, the urban grain and the townscape of Wellington actually are, is severely deficient and further work is required. Wellington is a historic market town, but in order to understand and complement its townscape and local character, as the D & A suggests, it is important to assess and evaluate, distil and define what is considered to be the “local vernacular”. In the Historical Development section, two case studies close to the site are highlighted; the first relates to a handful of buildings built in the 19th Century and the second just one road, Herbert Avenue built in the mid 1950’s; thus the character assessment such as it is, is considered to be very limited both in terms of scope and definition. Consequently it is recommended that the character assessment needs to be extended to look at a wider area, with a summary of key characteristics listed in order to frame and influence the various character areas proposed which similarly poorly defined; e.g. currently the Park and the Gateway character areas seem to be very similar but what will actually make them distinct from one another ? Whilst it is likely that there will be common elements between the various character areas to create a cohesive scheme there will also need to be certain variations and distinct differences to provide emphasis or terminate views, landmarks etc, otherwise why have character areas at all ? The key features of each character area need to be documented and summarised either in a list or perhaps as part of a matrix and should include general details or principles that will underpin the;
- Streetscape: morphology/grain, formal/ informal, definition of public realm, plot arrangement, building line, privacy strips, one sided or two sided development, etc;
- Built form: roofscape architecture, style, scale, massing, density: dwelling types, wide or narrow fronted, orientation, vertical or horizontal emphasis, habitable rooms fronting onto the street, etc.
- Detail & materials: key features and articulation, with some initial idea of which character areas or dwellings might may feature higher quality materials and what these might be, e.g. natural or man made, e.g. roof slates or concrete tiles, etc.
- Landscape: hard or soft, formal informal, type of vegetation, e.g. trees shrubs, grass or wildflower meadow etc ?

The above is really about trying to establish what the character is and how it can be used positively to influence and frame the subsequent character work, rather than being prescriptive or requesting detailed design which would form part of the Reserved Matters.

Whilst it is acknowledged there is further information about the proposed layout, following the character areas section, this is a mix of description and general detail

which needs to be reviewed, with the key points summarised and related back to the initial context and character appraisal, for example.

The section on “Appearance of Development” p.57 seems to pull out at random, dwelling types seen on Pooler Close and Saville Close. This is a modern development in close proximity which the applicants considered to be the type of development that could be seen on this site. It is contested that this is not the high quality locally distinctive scheme that is eluded to by the D & A but more the typical response from the majority of developers which can be seen throughout the Borough; where is the distinctiveness or local vernacular here? If there is nothing in the immediate vicinity that reflects the high quality scheme that is envisaged here, the examples from further afield could be considered, e.g. Lawley.

At the end of the D & A statement, the Building for Life 12 Assessment presented at the end of the document needs to be reviewed and revised since it currently fails to adequately summarise how the scheme will respond to each of the questions. In essence, the BFL12 document sets out the 12 questions which are then complemented by a series of additional questions highlighted to reflect the complexity or range of issues within each of the topics; e.g. for question 1 there are 4 additional sub questions. By responding to each of these sub questions, it should start to provide a more comprehensive justification for the scheme and subsequently whether they actually met the green light standard.

Finally one aspect highlighted in BFL which isn't mentioned as such in this document is Affordable Housing; just to ask is there any and if so what level of provision is envisaged ?

### Summary

Whilst a development on this site could be perceived as a natural extension to the town, the potential for this to happen has been resisted to date because of its perceived impact on Wellington and its historic landscape as well as buildings such as Orleton Hall and parkland.

Consequently in order to overcome these issues, any development proposals need to demonstrate a high quality, contextural response which although this scheme may aspire to, it currently fails to convince. Whilst it is acknowledged a great deal of work has been undertaken to prepare the proposals, with p.38 identifying various issues that the applicant clearly feels are important to the scheme, the ‘Development Framework’ is too detailed in some respects containing elements of an actual scheme design, but without really identifying the key forming drivers in the layout that lie behind those ideas. The subsequent design should respond to those drivers and could be reflected in a number of different ways in the Reserved Matters hence the illustrative scheme being submitted at this stage.

However, if this subsequent scheme is to successfully integrate and complement the local vernacular, it can only be achieved by identifying and defining it and then show how the scheme has actually responded to it. Whilst this will be more evident at Reserved Matters stage, in order to ensure that the scheme does deliver this quality and character anticipated, it is considered that there must either be some additional work completed at this stage to address the shortfall or alternatively a condition should be added if officers are minded to grant the outline approval. Furthermore it is suggested that this condition should be approved and discharged prior to the submission of a Reserved Matters application in order to enhance and safeguard the quality of the landscape.

It must be noted that neither the Landscape Officer nor the Urban Design Officer oppose the principle of development and the applicants have now submitted additional information that seeks to respond to the above specific concerns.

**TWC Planning Ecologist:** No Objection subject to conditions and informatives. – The application is supported by Ecology Appraisal and a Breeding Bird Survey. In summary, the following findings have been assessed:

Habitats - The proposed development site comprises largely arable land with hedgerows, species poor semi-improved grassland, mature trees, tall ruderals, 2 onsite ponds and a wet ditch. There is also a further offsite pond linked to the ditch feature. With the exception of the hedgerows and mature trees none of the habitats present on the site are priority habitats and their loss, provided that suitable landscape planting and retention of hedgerows and trees is undertaken, will not constitute a significant biodiversity loss.

Hedgerows - There are 13 hedgerows across the site which FPCR assessed against the criteria in the Hedgerow Regulations. Only Hedge 2 is considered 'important' under the Hedgerow Regulations definition while Hedge 16 and 18 have moderate to high conservation value due to their species composition. Hedgerow 15 will be lost on the site and sections of H6, H9 and H3 will need to be removed to facilitate access onto and throughout the site. These hedgerows are largely dominated by a single woody species and will be replaced in any future Reserved Matters proposal.

Mature and Veteran Trees - There are a large number of mature and veteran trees on the site. Many of these trees are shown on the Development Framework plan as being incorporated into areas of green space and green infrastructure on the site and are indicated to be retained. A single veteran tree East of Pond 1 is identified as being removed. While this tree does not have bat roosting potential it undoubtedly has biodiversity value but noting the large amount of deadwood within the crown and wounds from previous pruning the Arboricultural Assessment suggests that the retention of this tree in a heavily developed area of the site may not be desirable. Further consideration should be given to this tree as the Reserved Matters application is prepared.

Great Crested Newts and other amphibians - 7 ponds within 500m of the proposed development site were subject to Habitat Suitability Index calculations and presence/absence surveys in spring 2013. None of the 7 ponds were found to contain Great Crested Newts during the presence/absence surveys carried out in spring 2013 but ponds 3 and 4 contain populations of smooth newts and other amphibians. The loss of ponds 1 and 2 (as shown on the Proposed Development Framework Plan) is considered acceptable – they are shallow depressions with very low levels of aquatic vegetation and low biodiversity value. Works on the site will need to be undertaken in line with a precautionary method statement to protect widespread amphibians including smooth newts.

Water Voles -The ditch section on the northern boundary of the site connects to pond 3 offsite and has biodiversity value including potential to support Water Voles. The ditch will need to be retained and buffered with no development or ground disturbance occurring within at least 10m. A method statement will need to be prepared to set out safe working methods around the ditch and precautions across the whole site to prevent pollution, disturbance by vibration and other potential impacts which could affect Water Voles if they should be present.

Bats - Hedgerows and trees are to be retained in the Proposed Development Framework . Lighting on the site will need to be carefully controlled so that light spill onto hedgerows, trees and green spaces is limited. Bat boxes are proposed to enhance the value of the site for roosting bats.

Badgers - There is no evidence of badgers on the site but a planning condition is recommended to cover post survey movements of badgers.

Breeding Birds - 34 species breeding or probably breeding on the site of which 13 species are notable. Most of the breeding bird activity is associated with the hedgerows which will largely be retained and new landscape planting will provide new breeding opportunities for birds on the site.

Habitat Management and Landscaping - The proposed Development Framework Plan shows the creation of a swale, significant areas of green space and green infrastructure in association with retaining existing hedgerows and trees and FPCR recommend that these proposed green spaces should be subject to a costed long term (20 year) management plan.

Recommend conditions and informatives to include: provision of nesting boxes, bat boxes, lighting proposals, submission of method statement for protection of amphibians and water voles including 10m buffer zone, updated badger survey, wildlife protection measures and ecological management plan.

**Subsequent to the above comments being made, the applicants have responded by providing water vole surveys that confirms that this species is not present at the site – consequently, the Planning Ecologist has revised her comments that removes the need for 10m buffer alongside watercourses and water vole study requirements.**

**English Heritage** – Pleased that the advice given by English Heritage at pre-application stage has shaped the application and recommend dense indigenous tree planting on the western boundary with the Historic Park.

**TWC Land Contamination Officer** – No objection. The initial investigation recommended some further works. In view of this, and in relation to Paragraphs 109 and 121 of the National Planning Policy Framework, should permission be granted then this should be subject to condition requiring land contamination to be assessed and reported together with appropriate mitigation if deemed necessary following further appropriate surveys and assessment.

**TWC Education** – No objection on the basis that section 106 financial contributions will be included with any planning permission. £767,688 for primary education and £408,177 for secondary education. This has now been revised to off-set the affordable housing provision that is not required to contribute to education provision. Total: £883,680 - £576,979 for primary and £306,751 for secondary education

**TWC Arboricultural Officer** – No objection

**TWC Sustainability Officer** – recommends conditions to meet Codes for Sustainable Homes Level 4.

**Telford & Wrekin Access Forum** - Public rights of way pass through the proposed development site. I note that the plans for development indicate a number of new proposed PROW on the site. It is important that: - All existing RoW are dealt with by the correct legal process should they be diverted or stopped up - All new rights of way should be put in place by Creation or Diversion orders and should be placed on the Definitive Map so they cannot be stopped up or built over at the whim of the developers - All current and proposed rights of way should be implemented using minimally restrictive furniture so that they can be used by able bodied and disabled persons alike. Kissing gates are not acceptable especially for those in mobility buggies - All routes must be upgraded to Bridleway status so that they can be legally used by cyclists as well as those on foot. (Sustainable transport). I suggest that the developer engages with the Local Access Forum at the earliest opportunity where experienced advice is available freely.

**National Grid** - Affected Apparatus - The National Grid apparatus that has been identified as being in the vicinity of your proposed works is: High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment ; Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)

Shropshire Fire Service – comments and informatives covering emergency access, access for pumping services within 45m of any dwelling, Minimum Flow Rates and Location of Fire Hydrants, provision of sprinklers etc.

**West Mercia Police Crime Prevention Officer** – No Objection. However there are opportunities to design out crime and /or the fear of crime and to promote community safety. The applicant should aim to achieve the Secured by Design (SBD) award status for this development. The principles and standards of the initiative give excellent guidance on crime prevention through the environmental design and also on the physical measures.

**Councillor Hosken** - wishes to express concerns in relation to application on the basis of the following issues:

1. Access arrangements – he considers that the discharge of traffic generated by 300+ houses onto Haygate Road will exacerbate conditions of highway safety on a particularly busy section of highway, where queues regularly back up either end of Haygate Road. Although there may be highway junction improvements, the character of the green area at the entrance onto Haygate Road from Holyhead Road will be affected.
2. The setting of listed buildings and historic parkland at Orleton Hall will be adversely affected by development at this location. It is a particularly sensitive area in historic and heritage terms and will affect the important gateway into Wellington.
3. There are other sites that should be developed before greenfield sites such as Haygate Road.
4. Although acknowledging the lack of 5 year land supply, this should not be used to override local considerations. He doubts whether this site would have been accepted in any Local Plan preparation given the problems listed above.

### **THIRD PARTY REPRESENTATIONS**

The application has generated in excess of 125 letters of objection and two petitions, one signed by 301 residents and the second signed by 165 (approx.). The details of these are available on the online application file. The application has also given rise to the creation of a local campaign group 'Haygate View'. "In September 2013, Haygate View a residents group of over 100 households was formed to object in principle to the proposed development of the land to the North of Haygate Road Wellington. Members of the group are proud to live in Wellington, and we want to ensure that what we value is enjoyed by future generations. The application is an example of planning being inappropriately driven by speculative development across the Borough and it therefore needs to be rejected. The application relates to prime agricultural land on the edge of Wellington and is outside of the original boundary of Telford New Town. We, the undersigned, object to application number TWC/2013/1033. This relates to the land to the North of Haygate Road, Wellington, Telford, Shropshire and the planned erection of up to 330 dwellings with associated landscaping, site access, and public open space. We call on the Planning Committee for Telford and Wrekin Borough Council to reject this application and any other applications relating to this site".

The representations received are thorough and very heartfelt. Members are asked to view these online as the following summary can only offer a glimpse of the strength of local opposition to this development:

- There are material reasons for opposing this development on current planning policies
- The Council still has not published its objective assessment of housing need, as required by the NPPF since March 2012. This is extremely disappointing.
- The Council has been tardy in not progressing its Local Plan
- The site is outside the designated development area of Telford and has been so for more than 45 years of consistent plan making by the relevant planning authorities
- The site is proximate to an Area of Outstanding Natural Beauty and its development would have an impact on the setting of the AONB.
- The application conflicts with the National Landscape Character Area 61 'Shropshire, Cheshire and Staffordshire Plain', one of the key characteristics being "A unified rural landscape, with strong field patterns, dominated by dairying which merges with more mixed and arable farming to the north and south-east" – there are other relevant characteristics too.
- The application conflicts with Shropshire Council's 'The Shropshire Landscape Typology'
- The LVIA does not mention Telford and Wrekin's Landscape Sensitivity and Capacity Study under its Landscape Character section
- This site provides an essential high quality approach to Wellington and to the Telford urban area. The north-easterly views from the Holyhead Road, from the Old Orleton and from Haygate Road itself, are all of exceptional quality and should not be adversely affected by this inappropriate development.
- The planning agents for the applicants select NPPF and other policies that support the development, but the NPPF should be read as a whole.
- The applicant's Design & Access Statement is poor and doesn't reflect the character of the area
- The proposed development will have an adverse effect upon the setting of the Listed Orleton Hall and the Historic Park and Garden. This site is integral to Wellington's unique and historic Haygate vista.
- Landscaping is insufficient and 30m buffer is necessary particularly in the north-eastern and south-eastern boundary.
- The Masterplan fails to provide adequate mitigation proposals in the form of planting and substantial landscape buffer areas around all boundaries of the Site, and secondly, it fails to provide a satisfactory layout and design across all areas of the Site.
- There are bat roosts at the edges of the site and amphibians breeding and migrating from the site contrary to applicant's reports
- Location of play area adjacent to Cricket Club may cause a risk to users from cricket balls. Potential noise nuisance vandalism to one of the West Midlands top tier cricket club facilities which serves the local community well
- Inadequate attention given to drainage with lack of detail including topographical information which does not take into account the sharp change

in relief parallel to Woodside Avenue. No intrusive ground surveys have been undertaken

- Highway impact –creation of local 'rat runs', close proximity of the an M54 junction, Haygate Road being a main route into Wellington and the additional traffic created by residents in a new estate if built requires a modelling exercise.
- Applicants' Sustainability Matrix is superficial and inaccurate
- Site cannot accommodate 330 dwellings
- The Council's own Landscape Sensitivity Study specifically omits this site from consideration for development due to its sensitivity adjacent to the Orleton Park and The Wrekin
- There are no sustainable measures to improve travel by bus, cycle or on foot. The nearest bus stop is 450m away.
- There is no local need for this housing in Wellington
- Detrimental impact on wildlife; the site is used by migratory birds. Need for ecological management plan and greenspace should be enhanced.
- Services such as doctors and dentists already overstretched. There are no social facilities for the young.
- Use of brownfield land should be preferred over greenfield
- Insufficient capacity in local schools
- Additional noise and pollution risk
- It is unclear whether the requirements for a bus contribution is necessary given that the bus operator is downgrading this service

**Shropshire Parks & Gardens Trust:** As Shropshire Parks and Gardens Trust, and with a joint interest with Garden History Society, our concern is with the impact of the proposed development on the grade II registered Orleton Park. We note that both English Heritage and the applicant agree that the site has always been farmland and not part of the park. We agree that the map evidence provided by the applicant supports this view. We note that English Heritage consider that the development would 'cause some harm to the setting of the park'. We would therefore urge the adoption of their proposal that the harm could be totally mitigated by a substantial planting belt on the north west boundary of the development.

**RELEVANT POLICIES:**

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes

CS2 Jobs

CS3 Telford

CS5 District and Local Centres in Telford

CS7 Rural Area

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open space

CS12 Natural Environment  
CS13 Environmental Resources  
CS14 Cultural, Historic and Built Environment  
CS15 Urban Design

Wrekin Local Plan:

EH7 Contaminated Land  
EH14 Land Stability  
UD2 Design Criteria  
UD3 Urban Design Assessments  
UD4 Landscape Design  
UD5 Public Art  
UD6 Major transport corridors and gateways into Telford  
H6 Windfall development in Telford & Newport  
H22 Community Facilities  
H23 Affordable Housing  
H24 Affordable Housing: Rural Exceptions  
T4 Development Principles  
T22 Planning Obligations  
OL11 Woodlands and Trees  
OL12 Open land and landscape contributions from new Development  
OL13 Maintenance of Open Space  
LR4 Outdoor Recreational Open Space  
LR6 Developers Contributions to Outdoor Recreational Open Space within New Residential Developments

## **PLANNING CONSIDERATIONS**

### 1. Principle of development

In general terms, the National Planning Policy Framework (NPPF) places sustainability at the centre of land use planning. There are three dimensions to sustainable development: economic, social and environmental. In terms of social cohesion and inclusion, the Government is committed to developing 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. The social role of the planning system should not be undertaken in isolation from its economic and environmental roles. Therefore, economic, social and environmental gains should be sought jointly and simultaneously through the planning system to achieve sustainable development.

At the heart of the NPPF is a presumption in favour of sustainable development. 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 the NPPF taken as a whole; or
  - Specific policies in the NPPF indicate development should be restricted.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people. The Government is committed to protecting and enhancing the quality of the natural and historic environment, in both urban and rural areas. In terms of design, the NPPF advises that:

“Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

Paragraph 58 of the NPPF states that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimize the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 47 of the NPPF sets out the Government’s key housing policy goal, which is to boost significantly the supply of housing. It states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as,

but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);

- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where it has been identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities.

Local authorities should also take into account the economic and other benefits of the best and most versatile agricultural land, the NPPF advises. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Using land efficiently is a key consideration in planning for housing. Good design is fundamental to using land efficiently. More intensive development is not always appropriate; however, when well designed and built in the right location it can enhance the character and quality of an area. Density is a measure of the number of dwellings which can be accommodated on a site or in an area. The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

Drawing on information from the Strategic Housing Land Availability Assessment and other relevant evidence, Local Planning Authorities are guided to identify sufficient specific deliverable sites to deliver housing in the first five years of a Local Development Document (LDD). To be considered deliverable, sites should, at the point of adoption of the relevant LDD:

- be available – the question being, is the site available now?
- be suitable – whether the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities
- be achievable – is there is a reasonable prospect that housing will be delivered on the site within two years?

The application site comprises greenfield land located within the rural area with its northern boundary being adjacent to the edge of the built up town of Wellington.

The principle of the proposed residential development of the site is contrary to Policy. However, whilst the proposal is contrary to Policy, other material planning policy considerations should be taken into account when assessing this application. As Members will know, those considerations can weigh heavily in favour of granting planning permission.

The National Planning Policy Framework (NPPF) states that Councils should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement. The West Midlands Regional Spatial Strategy has now been revoked. However, the housing requirement figures remain the most recent figures that have been tested through an examination process and therefore the level of housing provision set out in the RSS remains the basis for the housing land supply assessment.

The current land supply position in the Borough (i.e. the position on 1<sup>st</sup> October 2013) is stated as 2.26 years against this 5 year requirement (this includes a buffer of 20% as required by the NPPF where a Council has a record of persistent under delivery of housing). Therefore, it is accepted that the Council is not able to demonstrate a five year supply of housing land. Paragraph 49 of the NPPF states that planning applications for housing should be considered in the context of the presumption in favour of sustainable development and those relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authorities cannot demonstrate a five year supply of deliverable housing sites.

The Council is working on identifying its own targets through the emerging Local Plan and published its proposed sites for development in early May. However, this document is at a very early stage of preparation and reflects the early thinking of the Council, uninfluenced by public consultation. The weight that can be afforded to any Local Plan documents at this stage is considered to be very limited. Therefore the legacy of under-delivery of housing, particularly between 2006 and 2011 when instead of delivering 1330 units per annum, the numbers amounted to an average of approximately 700 per annum, is currently weighing heavily in terms of demonstrating a five-year supply. This is made worse as the Core Strategy was found 'sound' only up to 2016. The Council's position now is that we have not got a five year forward housing target position against which the Council can base its delivery.

Some commentators in relation to this proposal suggest that it is premature to be granting planning permission when the Council is so close to publishing its Shaping Places document and that it should refuse permission on the grounds of prematurity. The potential for the issue of prematurity to arise in this case is not considered strong because the Shaping Places Local Plan policies are at a very early stage and have not even been through proper and considered public consultation. Prematurity is capable of being a material planning consideration. However, where development plan documents are at a consultation stage, with no early prospect of submission for examination, then refusal on these grounds will not be justified.

In the absence of up to date housing policies within the local plan, the fallback position for assessment is therefore the NPPF itself. The Framework does not contain specific policies that would preclude housing development on the edge of

settlements and therefore the analysis of this proposal has to be based on an assessment on whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Recent appeal decisions have shown that the Planning Inspectorate and Secretary of State have placed substantial weight on housing land supply. Even when there has been identifiable harm flowing from a proposal, such as the impact upon the landscape or the loss of agricultural land, this has been weighed in the planning balance. The question is therefore whether the benefit of delivering housing is outweighed by the potential adverse impacts arising from development. The key issue with this proposal is therefore housing land supply and unless there is identifiable planning harm flowing from this proposal individually or cumulatively, which would outweigh the benefits of delivering housing, then the NPPF is clear that planning permission should be granted.

## 2. Sustainable development

At the national level, sustainable development is promoted through the NPPF, which defines three dimensions: economic, social and environmental, which cannot be considered in isolation. The proposed development will help provide the delivery of new homes in a short time frame. The applicants are willing to reduce the time period for implementation of any permission and a shorter period for commencement of development to two years has been agreed by the applicants. The proposal for 330 dwellings will have a positive effect on the local economy providing construction investment and employment in the short term and by delivering additional homes, will increase spending within the local economy longer term.

Paragraph 47 of the NPPF sets out the Government's key housing policy goal, which is to boost significantly the supply of housing. It states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their ownhomes);
- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where it has been identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities.

The development proposal would deliver 23% affordable housing on the site, i.e. 77 affordable residential units and would, therefore, fulfil a social role by delivering a mix of affordable and open market housing to meet current and future needs with a range of tenures. An off-site financial contribution of £300,000 to be used for the provision of affordable housing within the Wellington area is also proposed. The mix of housing proposed together with affordable housing will encourage a mix of households. This provision would therefore help promote the national policy to deliver the right type of housing within the right place and at the right time to meet the market need and the Council's growth ambitions.

Clearly, Wellington itself is considered to be a highly sustainable location suitable for accommodating potentially significant amounts of housing growth in the local context. It is a market town with a wide range of facilities, a central retail core offering a wide range of services and excellent transport links. In the absence of an up-to-date Plan, the material considerations promoted in the NPPF in relation to housing supply, carry significant weight - so much so, that the principle of development at appropriate urban-rural fringe locations cannot really be questioned.

However, it is still necessary to consider the other impacts of the development, particularly in relation to environmental impact and capacity of infrastructure to accommodate this quantum of development, to ascertain whether the case presented also overcomes any other such harm that the development may cause to interests of acknowledged importance. These are considered in the context of this development and site below.

### 3. Use of Greenfield site and Loss of best and most versatile agricultural land

The local community has suggested that there are brownfield sites available that should be developed in preference to Greenfield sites. It is acknowledged that there may be other sites in the area and they could possibly have even better sustainability credentials; but these sites have not been brought forward into the deliverable supply of housing at Wellington or overall in the Borough. Even if all available brownfield sites were brought forward with planning consent, it is unlikely that housing land supply targets would be met as they have to be "deliverable".

Although the site is not brownfield and would not necessarily be a preferred site for development, the guidance set out in the NPPF does not preclude the development of greenfield sites where other material considerations may provide support for such development.

The NPPF details that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to

higher quality. Natural England only requires to be consulted on development involving the loss of more than 20 ha of 'best and most versatile' agricultural land. Again on planning balance, the benefits that accrue from the proposal in terms of addressing a significant and pressing shortfall in housing land supply are such that the loss would not weigh against the grant of permission.

#### 4. Impact on Heritage Assets

The site itself is not a heritage asset, however it lies in close proximity to two designated assets which are material considerations to this application; these are the Grade II Registered Park and garden surrounding the Orleton Hall Grade II\* and Grade II Listed Old Orleton Inn. A Heritage Statement has therefore accompanied the application, which considers the effects on Orleton Park through views of and from the park; effects upon the Old Orleton Inn, through views of and from the inn.

Orleton Hall is a Grade II\* Listed Building and includes within its curtilage a range of outbuildings that are located some 800m to the north-west of Haygate Road. The main driveway is to the south off Holyhead Road. The Hall's principal elevations face west; its gable faces south over the parkland with views over to The Wrekin and the Ercall, which are some 2km to the south. The Hall is fairly secluded and views are not readily possible from either Holyhead Road or Haygate Road due to undulations and parkland tree planting and more dense wood plantations. The report that accompanies the application describes in detail the features that are associated with the Hall. But it is the setting of the parkland that is the main consideration in this application.

The views of English Heritage has been sought and indeed EH was brought in to pre-application discussions under the Council's SAW process before the application was submitted. Any direct impact on the Hall was quickly dismissed due to the distance from the site to the Hall and intervening undulating landscape features and screening. The applicants' submissions that the proposed development would not cause harm to the heritage significance of Orleton Hall and its setting including outbuildings and features, is therefore accepted by your officers.

Orleton Hall Park and Garden is included within the English Heritage register as Grade II and covers an area of some 25 Ha and includes the gardens surrounding the Hall and beyond a yew hedge, the parkland itself. The Wellington Cricket Club and associated buildings and car park are located within the parkland and is accessed from Haygate Road by a private roadway that forms the back driveway to the Hall. The parkland was originally designed with the intention to screen views towards the Hall from roads and footpaths in the area. It was designed primarily to provide an 'architecturally-designed' landscaped parkland as an intervening setting for the expansive views of The Wrekin from Orleton Hall. Although the parkland is protected as an asset for the nation, its historic interest is based on the original

intention to provide the picture-frame from Orleton Hall and gardens consisting of the view of The Wrekin from the Hall with the foreground of a formal landscape design.

The applicants concede that the proposed development will cause some harm to the significance of the registered park and gardens when viewing the area from Haygate Road and Holyhead Road. But this impact is reduced by the presence of the outer built up area of Wellington itself, which dominates the background when viewing from Haygate Road. Arguably the park's intrinsic value as an historic asset when viewed from the elevated section of Haygate Road close to its junction with Holyhead Road has already been diminished by the presence of the cricket club and extensive woodland planting and it is only when the views open up along Holyhead Road that it is discernible as landscape architecture. Beyond the rear entrance to the Hall along Haygate Road, the land comprising the application site dips away and becomes essentially an arable field containing some mature and veteran trees, which are not untypical of many urban-rural fringe locations. An existing footpath crosses the north-east corner of the site and it is from this footpath that views of the park become more noticeable. But on balance, the proposals will not cause significant harm provided sufficient and appropriate buffer landscaping takes place as depicted in the applicant's strategic landscaping proposals. This can be covered by condition and will be the subject of later Reserved Matters submissions.

Finally in terms of heritage assets of note in the locality, the Grade II Orleton Hotel is located some 200m to the south at the junction of Haygate Road with Holyhead Road. The building fronts Holyhead Road with side windows facing the Cricket Club directly opposite. The building and its setting cannot be said to be significantly affected by the proposal.

## 5. Landscaping

The impact of the proposal upon the landscape of the area and upon the more immediate environs of the town is a key consideration with the proposal and is covered in part in the preceding section in terms of the landscape effects on the registered park and gardens. The previous section has considered the potential landscape effects on the Grade II Orleton Historic Park and Gardens and a repeating of the analysis here would be unnecessary. Your officers accept that the development will have a "minor adverse" impact on this historic asset.

Paragraph 17 of the Framework seeks to protect the intrinsic character and beauty of the countryside and offers specific advice for designated landscapes over and above that in paragraph 17. The Telford & Wrekin Landscape Sensitivity and Capacity Study 2009 identified the site as having High/Medium sensitivity and consisting of part of a large flat arable field containing several mature/ veteran parkland trees that underlines its parkland character and significance as an adjunct to Orleton Park. Thus its significance lies in its relationship to the historic parkland and its contribution

as open countryside separating the parkland from the edge of the built up area of Wellington. Accordingly the Study identifies the site as having low housing capacity. Objectors suggest that this is compelling evidence that development at this location is inappropriate and that it would be difficult to accommodate development without impacting on the trees and parkland buffer and that development here would create a precedent for yet further encroachment along the edge of the historic parkland and wider landscape.

The objectors argue that the site would be visible from parts of the Shropshire Hills AONB and Scheduled Ancient Monument of The Wrekin. The Shropshire Hills AONB is nationally important and its key special qualities include its diverse and contrasting elements of the landscape – its hills, farmland, woods and rivers, geological interest, wildlife and heritage. The Shropshire Hills AONB Management Plan reasonably requires consideration to be given to the impact of developments that affect the setting, which include views into and from the AONB.

A landscape assessment has been submitted that acknowledges that the site lies within the 'Estate Farmlands' landscape typology which includes, inter alia "*large country houses with associated parklands*" and "*medium to large scale landscapes with framed views*". The assessment accepts that the site shares some of the characteristics associated with this typology; however it also suggests that this particular site is heavily influenced by the existing urban edge and other urban elements that lie immediately beyond the site. In terms of the impact on views of The Wrekin and AONB, it is strongly argued by the applicants that the development would be viewed from a small section of public rights of way at the top of The Wrekin and would be seen against the backdrop of the modern residential development comprising the western edge of Wellington. This is broadly accepted by your officers.

In terms of the impact on the character and appearance of the open countryside at this rural-urban fringe location, the applicants have considered the development's likely impact from The Wrekin, from the immediate area of the historic park and from the closer environment. It is accepted that there is no clean transition from open countryside to the urban edges of Wellington and further intrusion and erosion of these edges will occur following the recent grant of permission of the Taylor Wimpey development which is now taking place at Holyhead Road. The applicants' assessment concludes that the landscape effects upon the AONB as 'Negligible-Minor', particularly given the urban fringe context and landscape proposals that accompany the application, which are designed to mitigate the effects of this development. Objectors believe this underscores the effects - they also suggest that the effects should more accurately be described as 'moderate to major'. Irrespective of this contradictory evaluation, your officers do not believe that a residential development at this location would have a seriously detrimental impact on the character and appearance of the countryside (including the historic park) when

viewed from the Wrekin and AONB. The preceding section also dismisses the severity of impact on the registered park and other historic assets.

It is therefore its impact on the character and appearance of the immediate setting on the approaches into Wellington, an important gateway both to the town and Borough, which is now considered and where urban design considerations start to make a contribution to the development's acceptability or otherwise. It is argued by the applicants that visibility of the development will be restricted by the screening effects of existing vegetation, undulating landform and the existing built up area of this part of Wellington. From the west, views are filtered and screened by these features, whilst the site is screened from more distant views to the south and west by blocks of woodland within and adjacent Orleton Park. A public footpath crosses the site and a number of dwellings actually abut the site. In the opinion of officers, there are no barriers to development in principle from the perspective of the immediate landscape and it is rather a case of ensuring that the form of development that will be the crucial key to whether the character and appearance of the immediate area can be safeguarded

The Council's Landscape Officer has commented on the application and landscape assessment. His approach was to review the document and highlight the proposals' commitments to ensuring that key landscape features including the presence of mature trees and hedgerows are proposed to be retained, reinforced and enhanced. These intentions should be elevated to the status of real commitments and should be enshrined within any planning permission. He recognized that the site was included in the 2009 Landscape Sensitivity & Capacity Study and made references to the site not having capacity for housing and that the site was inappropriate for housing. Whilst proving useful regarding the value of the site in the wider landscape, he advises that it is not the function or position of the Study to determine a response to that information on a site by site basis. Commentators may say that this is "back-tracking"; however, the 2009 Study was a broad-brush landscape capacity study and could never be treated as a determining factor in Development Management without very detailed further landscape assessment, which has now been undertaken. Certainly your Landscape Officer is correct in that it was never the function of the Study to deliver bold statements of whether development would be tolerated – this is the role of the decision-maker having regard to all the evidence before it.

The proposals although expressed in outline have sought to give due weight and attention to its impacts on Orleton Park with the proposed built form set back from the south-west boundary to provide a substantial landscape buffer and a LEAP/NEAP feature. This also benefits more immediate impacts along Haygate Road. Moreover, other than one notable exception, existing mature/veteran trees are retained. The applicants accept that the site will be visible from the AONB but point to the proposed green infrastructure that will include existing trees within the site together with its enhancement. It is concluded that the landscape assessment

submitted by the applicant is sound and the Council's officers believe that the landscape has sufficient capacity to accommodate development without significant detriment to this particular interest of acknowledged importance. This is on the firm basis that existing mature trees and hedgerows will be retained and that opportunities will be taken for the existing public footpath to form part of an interconnected network of green corridors and that green infrastructure will be provided to enhance biodiversity, recreation and amenity benefits. Your officers conclude that the impacts of development from a landscape perspective is no greater than minor-moderate and are not sufficient to refuse planning permission on these grounds alone.

## 6. Urban Design Considerations

Within the confines of an outline submission and where only highway matters are for consideration, the expectations that we can fully understand what is proposed has to be tempered. That said, your officers have engaged fully with the applicants over several months and supplementary supporting information has been provided to help demonstrate that the site, if developed sensitively, should provide an attractive housing development that respects the site's recognised important setting. There has been concern expressed by objectors that an outline submission is not appropriate for this site and that further details should have accompanied the application, including a topographical survey. There has been a thorough review of the application's Design & Access Statement (DAS) by the Council's Urban Design Officer and, following further dialogue over some months, an addendum to the DAS was lodged with the Council. A view was taken early by officers that a topographical study was not necessary.

The DAS sets out to create a vision for the development to provide a distinctive and high quality place, which is intended to enhance the qualities and character of Wellington. This is a laudable aim; however, the Council has before it only an outline submission with sketch layouts and other illustrative material, including a simple analysis of the architectural styles and character of Wellington's built environment. This information is cursory and in parts poor. However as Members will know from past experience, it is difficult to require precision in outline submissions – such applications, after all, merely set out to establish the principle of development. It is at the Reserved Matters stage that details are submitted, but this is often considered too late in the planning process and once large housebuilders appear on the scene, economics tend to drive very suburban solutions.

The applicants make some broad and sweeping statements in their DAS however but in so doing have established some important urban design ground rules that if implemented later at Reserved Matters, could provide the opportunity for a sensitive and good quality development. Officers have suggested that in the event of planning permission being granted, the Council should impose appropriate planning

conditions that require the submission and written approval of a Development Framework as part of Reserved Matters, which would then lead on to an agreed set of Design Codes that would help ensure quality of design and materials. This is explored further below.

Before this however, the applicant has set out a number of key design objectives for this site, these include:

- To retain and enhance views
- To deliver a high quality 'place' which is sustainable, safe and attractive
- To deliver a mix of housing
- To provide an integrated network of public open spaces and new play facilities
- To establish a legible environment with a series of interconnecting streets and pedestrian routes providing connectivity to the wider area
- To adopt inclusive design by making the place accessible for all
- To provide sustainability and reduce energy consumption
- To ensure well designed pedestrian links with the surrounding town to the east and open countryside to the north

An illustrative masterplan and development framework has been submitted that sets out to indicate the principles of the proposed urban structure, including the layout of streets and pedestrian routes, the location, arrangement and possible design of the development blocks, likely plot arrangement and provision of green infrastructure and locations for play and general amenity areas. The original illustrative masterplan divided the areas within the site into five distinctive character areas – The Park, The Avenue, The Street, The Gateway and The Lanes, which was felt to be somewhat contrived. An illustrative layout demonstrates how the various elements that will make up the development could be accommodated on the site. Descriptions of each of the character areas were included. Members are invited to peruse the online application details before Planning Committee, as this information is interesting but cannot, in reality, form part of any planning permission. The real value of the illustrative masterplan therefore is to help demonstrate that a development of some quality is achievable at this site and that the layout and houses have the potential to respect and enhance the character and appearance of the area. It is then the ability of the Council to impose suitable conditions at outline and to apply rigour at the Reserved Matters stage to ensure that the masterplan ideals are carried through.

It is the later submitted material that is now considered to provide the opportunity for the Council to ensure an acceptable form of development at Reserved Matters stage can and should occur. This Addendum is sufficiently detailed to provide the basis for a parameter plan that will limit the developable area of land and separate the development into distinctive 'plots' and ensure that over a third of the site will be devoted to public open space. The five character areas originally put forward have been reduced to three following discussions with your officers (1. 'Main Street'. 2. 'The Park' and, 3. 'Haygate Road'). Each of the three character areas include a description of the components that will make up the urban design and urban grain for

the development within each area. Whilst not strictly design codes, they do form the basis for a development framework that could be further developed at Reserved Matters stage and could be conditioned accordingly. A copy of this document is attached to this report.

It is considered that the urban design submission in the form of the original Design & Access Statement and the DAS Addendum provides the basis for a design solution at Reserved Matters that would, in the opinion of your officers, represent an appropriate response. This is of course on the understanding that Committee is being invited to grant outline planning permission, subject to conditions that will require certain matters to be strictly followed through before Reserved Matters are approved.

## 7. Ecology

The site itself is not subject to any statutory designation. There is however a SSSI, a Local Nature Reserve and a County Wildlife Site within 1km of the proposed development at The Wrekin and The Ercall. The submitted ecology assessment concludes that at this distance and separated from the development by the M54 Motorway there is not likely to be a significant impact on the ecology of the designated sites as a result of the proposed development. This view is concurred by the Planning Ecologist.

Although the application site is generally dominated by agricultural land of restricted nature conservation value, some features of greater interest do occur and include the hedgerows and mature/veteran trees. The majority of the hedgerows will be retained within proposals and enhanced through the planting of adjacent broad-leaved tree and shrub species, which will buffer the existing features, enhance connectivity of existing boundary features and provide additional foraging, shelter and nesting to local wildlife. The application site includes several veteran/mature trees the subject of Tree Preservation Orders. One veteran oak will be removed. While this tree does not have bat roosting potential it has biodiversity value. Given the large amount of deadwood within the crown and wounds from previous pruning the Arboricultural Assessment suggests that the retention of this tree in a heavily developed area of the site may not be desirable. This is accepted.

In terms of protected species, there are no badger recordings in the area; hedgerows and existing trees to be retained will continue to provide habitats for bats; there are no recordings of great crested newts; further surveys of watercourses did not reveal the presence of water voles. There is little impact on birds.

The proposed Development Framework Plan shows the creation of a swale, significant areas of green space and green infrastructure in association with retaining existing hedgerows and trees and the ecologist acting for the applicants recommend

that these proposed green spaces should be the subject to a fully costed long term (20 year) management plan.

The Planning Ecologist has agreed with this recommendation and it is therefore concluded that the proposed development can be sufficiently mitigated through condition, and therefore the development in terms of ecology and biodiversity is in accordance with local and national planning policies.

## 8 Impact upon local infrastructure and other environmental issues

Concerns have been raised over the impact of this proposal upon local infrastructure. This includes the local highway network, drainage systems, schools and doctors surgery. It is considered that in the absence of any evidence of planning harm upon local infrastructure, it would be difficult to sustain arguments that the town cannot sustain the level of growth proposed with this application.

### a) Transport Impact

The NPPF provides the Government's planning guidance relating to Transport. The objectives of this guidance are to facilitate sustainable development but also contribute to wider sustainability and health objectives. Paragraph 35 of the NPPF advises that developments should be located and designed where practical to:

- Accommodate the efficient delivery of goods and supplies;
- Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- Create safe and secure layouts which minimize conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and,
- Consider the needs of people with disabilities by all modes of transport.

Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decision should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

There is significant concern within the community that the local highway network cannot cope with the additional traffic from these proposals. The application is accompanied by a Transport Assessment, which includes an accessibility

assessment. The site access is shown as a single access point centrally onto Haygate Road; this will be to current standards. Once within the site, a hierarchy of streets is proposed. The applicant has agreed to the making of a financial contribution to traffic calming measures along Haygate Road amounting to £20,000. Pedestrian linkages to the surrounding area are a key part of the applicant's accessibility strategy.

The TA has considered the impact arising from this development on twelve highway junctions. The TA demonstrates that the development will contribute towards existing and future capacity issues at three junctions in particular:

- Haygate Road/Holyhead Road/Oaks Crescent crossroads junction;
- Haygate Road/Wrekin Road/Bridge Road Junction
- B5061 Roman Road/Holyhead Junction

In recognition that other developments coming forward with each contributing individually and cumulatively to capacity issues at the above locations, the local highway authority has calculated what would be necessary to effect junction improvements and has apportioned the costs of these improvements according to the trips on the network at these locations generated by each development. A figure of £410,720 is calculated as the proportioned amount representative of the impact arising from this development.

There is significant concern within the community that the local highway network cannot cope with the additional traffic from these proposals. Concerns have also been raised regarding the increased use of Herbert Avenue leading off Haygate Road that might arise should the development proceed. However, with the installation of a new signal junction at the Haygate Road/Holyhead Road/Oaks Crescent junction the Highway Engineer expects that 'rat running' through Herbert Avenue will subside and that there is no robust justification for mitigation measures at this location.

The site is considered to be in a relatively sustainable location within 0.75 miles of the town centre. The primary and secondary schools and town facilities are all considered to be within acceptable walking distances. Bus Service No 55 is routed along Hollies Road, which is about 450m from the centre of the Site. Service No 55 operates every 30 minutes in both directions along Hollies Road. Bus Service No 81 operates along Holyhead Road, to the south of the Site. The bus service would benefit from a potential increase in customer numbers. The local highway authority has requested that a contribution of £15,000 be made towards bus infrastructure improvements on Hollies Road and associated pedestrian connectivity improvements to West Road.

The Council's Highway Engineer has considered the traffic generation from the development and its impact upon the local highway network. He has been made aware of the concerns local residents and others. No objections have been raised to

the proposal by the Highway Engineer that have not since been resolved, and it is considered that the additional trips generated by this development would not have a significant impact upon the highway network. It is considered that whilst the proposal would add traffic into the area, this is not expected to impinge on the safety of highway users or significantly affect the convenience of road users.

Finally the applicant makes the case that transport sustainability is a principle underlying the proposed development. Encouraging walk and cycle journeys is recognised as important. The location of the Site provides a good context for journeys of residents to be undertaken on foot and by cycle, to a range of local amenities. The development proposals include the package of measures to enhance the pedestrian and public transport accessibility described above. A Travel Plan will be necessary and the applicants have agreed to make a contribution of £5,000 for monitoring of this Plan.

b) Flood Risk and Drainage

The NPPF clearly states that Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. The NPPF advises that the aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Flood risk assessment should be carried out to the appropriate degree at all levels of the planning process, to assess the risks of all forms of flooding to and from development taking climate change into account and to inform the application of the sequential approach. The aim of the sequential Test is to steer new development to areas with the lowest probability of flooding.

A Flood Risk Assessment (FRA) has been submitted in support of the planning application. The FRA report identifies that the site falls within an Environment Agency Flood Risk Zone 1 area and is considered to be at a level of low risk of flooding. The applicants propose the use of attenuation tanks combined with flow control devices to ensure that the outfall from surface water does not exceed the existing discharge rates. The Council's Drainage Engineer has raised no objections to the proposals subject to conditions relating to drainage and the need to incorporate a surface water regulation scheme which could include sustainable urban drainage measures.

The applicants propose a large below ground storage solution, which is just one technical solution. There are alternatives to this, which possibly would be more sustainable – possibly surface level swale features. Whilst the technical solution comprising below storage tanks is possible, these would not be adopted. Consequently, proper management arrangements would need to be in place, which are not included in this application. Given this, a condition is proposed that would

require the revisiting of precise means of surface water drainage either at the Reserved Matters stage or prior to commencement of development. Suffice to say at this stage, there is a technical solution.

With appropriate safeguards and conditions, it is considered that the proposal could be developed without placing unacceptable pressure on existing capacity or having a detrimental impact on the capacity, flow or quality of groundwater or surface systems, and would not result in an unacceptable risk of flooding. As such, the proposal would accord with the provisions of the NPPF and Policies of the Local Plan.

c) Education

On 9 December 2010 the Department for Education published a paper, National Pupil Projections: Future Trends in Pupil Numbers (OSR31/2010). This Government Paper confirms a national pattern of peaks and troughs of school pupil numbers, which is mirrored in the Borough. The Paper also shows that it is necessary to retain 15% surplus school pupil places to effectively manage the changes in numbers in the indigenous population. That 15% surplus does not take into account additional children moving into an area from a new housing development. At the present time, both nationally and locally, pupil numbers are at the bottom of a trough, which is likely to peak in 2020/21. Presently, the Borough Council does not have 15% surplus places available and the Authority will therefore be under pressure to comply with its statutory duty to provide places for the existing population.

Due consideration has been given to the concerns raised in relation to the impact that the development would have upon the education facilities within the town and Borough. A contribution of is sought totalling £883,680 - £576,979 for primary and £306,751 for secondary education, with triggers of 25% upon commencement, 50% on completion of 25% of dwellings and 25% on completion of 50% of dwellings on site.

d) Open Space and Recreation

The Fields in Trust publication ' Planning and Design for Outdoor Sport and Play' provides guidance on master planning, play and leisure provision for new developments. This includes detailed design principles and criteria for Local Areas for Play (LAP), Local Equipped Areas for Play (LEAP) and Neighbourhood Equipped Areas for Play (NEAP). The Play England "Design for Play" Guide discusses the benefits of natural play for children. Both of these documents should be referred to when preparing designs for new housing developments.

The proposal includes provision for a NEAP and a LEAP together with general areas of amenity open space. Clearly future maintenance responsibilities will be required to be carefully considered. The Council would take on responsibility for maintenance

provided an adequate dowry was provided for long terms maintenance. The Parks & Open Space Officer has commented in detail about the proposals but at this stage, it is felt that all aspects in the provision and maintenance of open space facilities can be controlled through the use of planning conditions. Maintenance is a recurring theme with large residential development sites; however, the role of planning is limited to ensuring that such facilities are provided and that there is a suitable scheme in place that attends to long terms maintenance requirements. Suffice to say that the officer is always willing to advise on the design of facilities and comment on maintenance and management requirements.

The applicant has agreed to the provision of public art facilities to be located within the development possibly at the entrance of the site to act as a focal point. It should be noted that the Parks & Open Space Officer's request for contributions to Bowring Park upgrade no longer features in the proposal as sufficient funding has been obtained from other sources for this upgrade.

The proposals have not provided any direct sports facilities or any contribution which has drawn a comment from the relevant officer that the size of development is likely to generate the need for additional sports pitch provision. The adopted playing pitch strategy highlights this area as already deficient in sports pitch provision and the increase in residents arising from this development will increase the demand and therefore the deficiency. Nearby provision could either be brought back into use / upgraded to maximise its potential to accommodate this increased demand. The officer has requested a contribution be made towards drainage works at the sports pitch immediately adjacent to the site.

It is considered that subject to appropriate conditions and section 106 contributions and on-site provision the proposal fully meets Core Strategy Policy CS11 as it will lead to an enhancement of both formal and informal open space.

e) Noise and Air Implications

The Haygate Road abuts the south-eastern boundary of the site but, in addition, the M54 corridor lies to the far south of the site. Both these factors have the potential to generate issues of noise and air. In terms of Council policy on air quality, in 2011 a decision was taken to discontinue routine air quality monitoring across the Borough as historical and current data showed 'good compliance with air quality objectives with very little variation'. However appropriate reports accompany this application, with the brief having been agreed with the Pollution Control Officer.

Noise is not considered to be a constraint to development. The dominant noise source is from Haygate Road itself and it is felt that dwellings nearest Haygate Road will need to incorporate noise mitigation measures including appropriate double glazing and mechanical ventilation to bedrooms and living rooms as necessary together with screen walling/fencing to some garden areas in direct line of sight to

Haygate Road to the south. The required mitigation will be determined on a plot-by-plot basis at Reserved Matters stage.

In relation to air quality, the Study assessed three factors likely to create issues of air quality – dust emissions arising from the construction phase, road traffic emissions arising from the operational phase and an assessment of the level of air pollutant concentrations on residential properties.

In terms of dust emissions, an assessment of the proposed earthworks, construction and 'trackout' has been undertaken to determine the risk and significance of dust effects from the proposed development. The assessment has been undertaken in accordance with the guidance on assessing the impacts of construction phase dust published by the Institute of Air Quality Management (IAQM). The risk of dust effects is considered to be within the high to low category for earthworks and construction activities and medium category for trackout. Site specific mitigation measures will therefore need to be implemented at the site. The local area is considered to be of medium sensitivity due to the location of the site and proximity to the number of existing residential dwellings. With site specific mitigation measures in place the significance of dust effects for earthworks and construction activities is considered to be negligible.

In terms of road traffic emissions during the operational phase, the air quality assessment considered seven existing sensitive receptor locations. In 2023, the assessment concludes that the proposed development is predicted to have a negligible impact at all seven existing sensitive receptor locations considered. When the magnitude of impact is considered along with the sensitivity of the receptor, all existing receptor locations are predicted to experience a 'negligible/not significant' impact as a result of the proposed development. Consequently, the proposed development does not lead to an exceedance of any air quality objective. It is not therefore considered necessary to recommend measures to mitigate road traffic emissions.

Finally, the air quality assessment considered air pollutant concentrations at the proposed development arising from road traffic emissions. The concentrations however are predicted to be well below "annual mean objective concentrations" and therefore it is not considered necessary to recommend measures to mitigate road traffic emissions.

Accordingly it is considered that the proposed development will not adversely affect existing air quality subject to conditions requiring a Construction Management Plan to be agreed for the construction period. The proposed use is one that is considered compatible with the surrounding area, and as such there will be no adverse impact on the amenities of the surrounding area by reasons of noise or air from the proposed development

## 9. Residential Amenity Considerations

It would be important at Reserved Matters stage that the detailed layout and house design is duly considered to ensure high quality design in keeping with the character of the area and to ensure that the amenities of neighbouring residents are reasonably protected. The illustrative layout plan is considered to demonstrate that the site could be developed whilst achieving suitable separation distances, which could be secured at the reserved matters application stage as a material consideration then. It would also be important to mitigate the environmental impacts of the development in the interests of residential amenity and to prevent any increase in pollution levels. Therefore, it is considered necessary to impose conditions on any planning permission in respect of the hours and method of construction, as well as in respect of construction traffic, in line with the Construction Management Plan considered above.

## 10. Planning Obligations

Saved Local Plan Policy H23 suggests that an affordable housing requirement of 38% would be pursued on all allocated housing sites within the urban area; the Council's 2009 Affordable Housing Viability Study suggested that a requirement for 40% threshold should be set within the rural area. This site sits within the rural area but due its location and supporting a particular housing market however, it is felt that the proposals will address the urban need. The Study went on to suggest that Telford is a complex housing market and without grant funding these percentages may not be realised and a more moderate figure of 20% may be a more realistic starting point. Negotiations on affordable housing always reflect these differing positions and currently the Council's studies are now becoming increasingly out of date and a Strategic Housing Market Assessment has not been undertaken. In this case 25% affordable housing is proposed. This figure has been derived following protracted discussions relating to the viability of the scheme. A viability appraisal has been submitted and verified by the Council's Housing & Investment Manager who has responsibility for such matters. It is concluded that in order to provide the range of contributions necessary to make this development acceptable in planning terms, the reduction to 23% on-site together with an off-site contribution of £300,000 for affordable housing is reasonable. Members are asked to note that the total costs of all section 106 contributions will equate to £5,648 per dwelling unit, which is above the average rates for the Borough sites generally, including greenfield sites such as Haygate Road.

In line with Council policy, education contributions are only required from the private market housing on the basis that these will provide child bed spaces demand. This equates to the provision of £576,929 towards primary education facilities and £306,751 towards secondary education.

Given that the applicants have committed to provide on-site NEAP and LEAP facilities and confirmed that a management plan will be submitted to the Council for agreement to long term maintenance, no contribution is included within the section 106 Agreement. The costs associated with such provision and maintenance has been included in the applicants' viability exercise, although there may be a difference between what the Council would expect to see in any future management plan and what may be in the minds of the applicants at this stage. Officers believe that these matters together with control over the design of the LEAP and NEAP feature can be dealt with either as a separate covenant to the Agreement or by planning condition, or both. A sum of £130,000 is included as a contribution to the upgrade of off-site sports pitches. The payment trigger for this contribution should coincide with the completion of 25% of dwellings on site to ensure that these upgrading facilities can take place during the early period of development. In addition, a sum of £25,000 towards the provision of public art is proposed. This should be an upfront cost to ensure that the Council's public arts team can begin the work of public consultation/involvement.

Highway mitigation works are also required from the development towards 3 road junctions to enable signalisation works, this equates to £410,720. Additional sums of £8,000 for crossing enhancement, £20,000 for traffic calming, £15,000 for bus service infrastructure and £5,000 for Travel Plan monitoring.

A £15,000 contribution is also sought for planning and financial monitoring of planning conditions and section 106.

The applicants have confirmed that they have set aside £50,000 for public open space management and set up costs and a further £10,000 for public footpath/bridleway enhancement costs. These two sums are not included within the section 106 agreement as suggested because these costs have not been the subject of negotiations given the lack of detail at this stage. In addition, the Council's expectations may be different to those indicated by the applicants at this stage. These matters will be dealt with by condition (or section 106 covenant, or both).

Members are asked to note that these sums vary slightly to what has been offered by the applicants. But this slight increase in the view of officers is inconsequential.

## 11. CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The starting point must therefore be the Development Plan and then other material considerations must be considered. Planning policies have protected towns and

villages from significant expansion, which have in turn resulted in a limiting in the levels of growth. Housing development has been directed to towns and brownfield sites. This has contributed in part at least to a consistent undersupply of housing with this situation being compounded by national economic factors.

The most significant issue is housing land supply and the national policy requirement for a five year land supply which the emerging Local Plan is unlikely to rectify in time. Considerable weight is attached to this matter.

The proposal is considered to represent sustainable development as detailed in the NPPF. The adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits assessed against the policies in the Framework. Whilst the development would have some conflict with countryside and conservation policies, the development would provide a useful contribution to housing land supply in addition to the economic and social benefits that would flow from this.

Each of the planning issues to be considered in respect of the current application has been carefully considered by officers and appropriate weight has been attached to each planning issue in reaching a planning balance. The proposed site is available and deliverable, the Council can ensure this delivery with the use of appropriate conditions. It would contribute to the provision of housing land for the Borough and it is proposed to be developed in a sustainable location within very close proximity to Wellington.

Clearly the proposed location has sensitivities in terms of the wider landscape context and location close to heritage assets. However, the proposal has adequately assessed and addressed these issues and the proposal has the potential to create a development that respects and reinforces the character of the area. It is unfortunate that the masterplan cannot be sufficiently prescribed; this is the role for Reserved Matters. However, it clearly sets out an ambition for design quality backed up with green infrastructure. The documentation accompanying this application and the emphasis given in this report should be sufficient to ensure that an acceptable scheme does take place. Planning conditions are set out for Members' consideration that gives due weight and emphasis to design quality, backed by a parameters plan. The requirement to submit a Development Framework and a set of Design Codes at Reserved Matters stage will give confidence to local people that the Council is determined to achieve a sensitive development here.

The proposed development site can be adequately developed without detrimental impact to highway safety, nor any adverse impacts to ecology, drainage, and will not be adversely affected by previous land uses, noise or air quality. Furthermore the proposal is as suitable use which will not cause harm to the surrounding residential amenity provided adequate conditions are imposed.

This application has generated considerable objection and concern locally. Officers have recognised the strength of local opinion. However the issues that have been raised have been carefully considered and amendments and clarification sought on several key issues. In addition to the benefits derived from meeting housing need, it is concluded that the development would not cause significant harm and is in accordance with national and local planning policy guidance

It is therefore **RECOMMENDED** that this proposal be **granted outline planning permission**, subject to the imposition of appropriately worded conditions and the completion of a prior Section 106 Agreement. It is also recommended that delegated authority is given to the Development Management Service Delivery Manager to amend and add conditions as appropriate.

### **Proposed Conditions**

1. Time Limit: (Outline) works to commence within 2 years;
2. 12 months to submit Reserved Matters applications;
3. Reserved Matters to include layout, scale, appearance and landscaping; Requirement to submit for approval a Development Framework and Design Codes
4. Approved plans – Location Plan, Illustrative Masterplan, Design & Access Statement (Addendum) and Parameters Plan;
5. Up to 330 dwellings, no more than 2.5 storeys high. To be subject of agreed phasing plan
6. Development parameters plan. No development other than areas of formal play and public open space shall take place within the areas marked in green on that plan.
7. LEAP/NEAP details to be agreed prior to commencement of development together with its management arrangements and be fully implemented/operational before completion of 50% of houses on site together with minimum separation distances from the nearest dwelling.
8. Development shall not take place within a Phase until details of Affordable Housing Units for that Phase have been approved by the Council.
9. Surface Water drainage details to achieve greenfield run-off rates
10. Surface water and foul drainage details to be agreed and to include sustainable urban drainage systems
11. Capacity of receiving watercourse to be submitted
12. Ecology conditions as recommended by the Planning Ecologist (not to include 10m buffer zone and method statement for water voles.
13. Biodiversity Management Plan to be agreed
14. Landscaping implementation to include a 25 year management plan
15. Tree and hedgerow protection
16. Public rights of way diversion and enhancement

17. All highways, footways and cycleways, bus stop and pedestrian link shall be designed and completed in accordance with the highways Authority specification
18. Sustainability – Code Level 4
19. Submission of a full travel plan to be agreed
20. Samples of materials
21. Scheme to be agreed for the protection of dwellings within the development from road traffic noise.
22. Construction method statement with measures to control dust, noise, vibration, light and odour.
23. Hours of construction
24. Contaminated land mitigation
25. Informatives

TWC/2014/0010

Land adjacent Chillcott Drive, Madeley, Telford, Shropshire  
Erection of 44no. dwellings with associated access and landscaping

**APPLICANT**

Wrekin Housing Trust/Housing Communities Agency

**RECEIVED**

08/01/2014

**PARISH**

Madeley

**WARD**

Cuckoo Oak

**OFFICER**

Matthew Thomas

OBJECTIONS RECEIVED: YES

**MAIN ISSUES:**

Scale and design of proposed development, Green Network, Highways and Woodland/Trees

**PROPOSAL:**

This is a full planning application seeking permission for the erection of 44 dwellings which will comprise of, 100% Affordable tenure, and associated infrastructure on single parcel of land in the south of Telford within Madeley Town Parish and Ward. The proposed development for 44 dwellings will incorporate 8no. 1 bed, 2 person flats, 10no. 1 bed, 2 person houses, 22no. 2 bed, 4 person houses and 4no. 3 bed, 5 person houses. The proposed 36no. two storey houses will include on-site car parking and private garden areas whilst the proposed 8no. flats will include car parking and communal amenity space.

Vehicular access is proposed off Bridgnorth Road via Chillcott Drive, currently an unadopted highway. The main route through the site is a single spine road which is deflected by buildings punctuating the street. There is an area of Green Network at the northern boundary of the site that runs parallel with Kemberton Way, this includes an established tree belt with multiple tree species including oak, hawthorn, willow, ash, sycamore, field maple, hazel, elder and ornamentals around the site and it is proposed for the Council to adopt and provide long term management for this woodland.

This application follows a recent outline approval for residential development (up to 31no. dwellings) which was granted in April 2013. The applicant has engaged in pre-application discussions with the Local Planning Authority.

## SITE AND SURROUNDINGS:

The site is approximately 1.99 hectares in area. There are numerous trees adjacent to the boundaries of the site; hence approximately 1 hectare of the total area is developable. The site is not currently in use and has not been developed previously.

The site is bounded on three sides by a belt of trees and other woodland vegetation. It is visually very well contained. There are broadly two types of woodland around the sites' boundaries: semi mature trees on the outermost part of the site, and smaller, coppiced trees closest to the developable part of the site.

To the north, the site is bounded by Kemberton Road (A4169) and the Cuckoo Oak roundabout with a public house and industrial use beyond. A pedestrian sub-way is located to the North West corner of the site. To the east is the A442 (Brockton Way) with employment uses beyond. To the west is Bridgnorth Road, beyond which are residential properties. Directly to the south of the site is "Chillcott Gardens", which is a residential care facility.

The site is approximately 0.5 mile from the edge of the District Centre at Madeley and is therefore very well connected to the amenities that the centre provides. Facilities in Madeley include a supermarket, shops, doctors and dentist practices, Church, Library as well as the Town Council office and facilities. The centre of Madeley can be reached from the site within a few minutes on foot or bicycle. The site is also well served by public transport. Two covered bus stops are adjacent to the site. The buses that serve these stops (services 11, 22 and 701) connect the site to Madeley, Telford town centre, Dawley, Woodside and Sutton Hill and run frequently (at least every half hour).

The John Randall Primary School and Nursery is located approximately 100 metres to the south west of the site. Madeley also has several other primary schools and nurseries, along with two secondary schools: the Abraham Darby Academy (approximately 2 miles from the site) and the Madeley Academy (approximately 1.5 miles from the site).

## SUMMARISED CONSULTATIONS:

Madeley Town Council: Support subject to conditions

Comments submitted at outline planning stage are generally addressed:

- Road layout, priorities and adoption, junction capacity, adequacy of off-road car parking
- Retention of surrounding woodland fringe (Green Network)
- Commuted sum towards woodland management (Heads of Terms Agreement - £47,210)
- Contribution to off-site local play facilities (Heads of Terms Agreement - £26,400)

- Concerns are expressed about the boundary treatment and accessibility

Highways: Support subject to conditions

Following receipt of amended plans, in principle there are no objections to the proposal subject to the following conditions:

- Provision of visibility splays prior to development being brought into use
- Full design and construction details of the 2m pedestrian footway situated alongside the East side of Bridgnorth Road from the access of Chillcott Gardens to the Cuckoo Oak Roundabout and associated works to be submitted and approved by the LPA prior to commencement of development
- Full design and construction details of the Tactile Pedestrian Crossing across the Bridgnorth Road linking the development to the Bus Stop opposite Chillcott Gardens access and associated works to be submitted and approved by the LPA prior to commencement of development
- Full construction details of any new roads and footways including longitudinal sections, materials, drainage, street lighting, tree pits/landscaping, road markings and Transition features together with details of the disposal of surface water to a suitable outfall to be submitted and approved by the LPA prior to commencement of development
- Development not to be brought into use until the areas shown on the approved plans for parking, loading, unloading and turning of vehicles has been provided properly laid out, hard surfaced and drained

Drainage: Support subject to conditions:

- Scheme of foul drainage and surface water drainage to be submitted to LPA
- The Flood Risk Assessment (FRA) produced for this site should be updated to reflect the most up to date development proposals and submitted to the LPA

Parks and Open Spaces: Support subject to conditions

Support subject to following contributions being received:

- £47,210 towards the adoption of the woodland,
- £7,500 for the treatment of infected Ash trees and;
- £16,500 towards off site play area/maintenance

Urban Design: Comment

- Further consideration needs to be given to the proposed boundary treatments – including timber fencing, brick walls, hedges etc.
- Quality of elevations could be improved by rationalising the number and combination of the various different elements (lintols, cills, canopies etc)
- Dwelling Type A – windows need to be rationalised to create more of a vertical emphasis
- Dwelling Type B – consideration required to legibility of plots 1-4 and 29-32 and plot 34 would benefit from a gable roof rather than a pitch roof

- Dwelling Type C - welcome the inclusion of a gabled version which needs to be featured on at least one but ideally on two for units 43 & 44 since they are directly opposite the main access into this scheme
- Dwelling Type D – inclusion of the WC window on the ground floor is unfortunate and if the units were handed the other way this could be tucked around the side as the units are all semi detached

Arboriculture: Comment

Support subject to conditions re tree retention / protection / surgery and Section 106 contribution

Ecology: Support subject to condition Requests following conditions be imposed to any permission:

- Bat & Bird boxes
- Lighting Plan
- Pre-commencement badger survey within 1 month prior to commencement
- Method Statement for the protection of wildlife to be provided to and agreed in writing by the LPA prior to commencement

Sustainability: Comment

The development should be completed using CSH (Code for Sustainable Homes). The development will be required to meet CSH rating 4 for residential elements

Environmental Health (Contaminated Land): Comment Support subject to standard condition relating to land contamination

Affordable Housing: Comment

- This is a proposal for a wholly affordable scheme to provide a mix of 44 affordable flats and houses and it is welcomed as it will help to meet identified local housing needs. In particular it will provide a significant number of smaller (one and two bedroom) homes, which will assist those who wish to downsize their accommodation due to the impact of national Welfare Reform
- As stated in the application documents, the scheme represents a significant investment. It will also attract external funding (from the Homes & Communities Agency) and a Local Lettings Plan will be agreed with Telford & Wrekin Council and the homes will be allocated through Choose Your Home

Shropshire Fire Service: Comment with suggested informatives that should be attached to any consent issued relating to sprinklers

Local representations:

The Council has received 1 objection on the proposal. The issues/concerns raised in relation to the application are summarised below:

- Loss of green area/wildlife
- Increase in traffic and additional noise next to existing care home
- Potential loss of privacy
- Overdevelopment of the site
- Potential for area to become a mess – attracting litter/rubbish

#### RELEVANT HISTORY:

TWC/2013/0010 - Residential development (up to 31no. dwellings) - Outline Granted subject to S106 agreement to provide 25% affordable homes, contribution of £600 per dwelling towards the provision and maintenance of play equipment nearby, contributions towards treatment of infected Ash trees and maintenance of woodland (10/04/2013)

#### RELEVANT POLICIES:

National Planning Policy Framework

Core Strategy

CS1 Homes

CS3 Telford

CS5 District and Local Centres in Telford

CS9 Accessibility and Social Inclusion

CS13 Environmental Resources

CS15 Urban Design

Saved Wrekin Local Plan Policies

UD2 Design Criteria

UD6 Major Transport Corridors and Gateways in Telford

H23 Affordable Housing

OL3 Green Network

OL4 Development in the Green Network

OL11 Woodland and Trees

OL12 Open Land and Landscape – contributions from new development

OL13 Maintenance of Open Space

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

#### PLANNING CONSIDERATIONS:

##### Principle of Development

The principle of the proposed development at Chillcott Drive has already been established through the approval of outline planning permission in April 2013 for residential development for up to 31no. dwellings. At the time it was considered that as the application site was within the built up area of Telford as defined by the

Proposals Map of the Wrekin local Plan, the development was in accordance with policies CS1 (Homes) and CS3 (Telford) of the Core Strategy. Similarly, the principle of residential development was considered acceptable as it was in accordance with the guidance contained within the National Planning Policy Framework (NPPF) where at paragraph 49 it states that applications for housing should be considered in the context of the presumption in favour of sustainable development. In this regard the site is well located on the edge of an existing residential area and is easily accessible for cyclists, pedestrians and public transport users. Bus stops are located very close to the site on Bridgnorth Road and it is considered that travel by bus would be a viable alternative to the private car, particularly for trips to/from the centre of Telford.

The previous outline application for 31no. dwellings proposed to provide a 25% level of affordable housing however this full planning application for 44no. dwellings is offering a 100% level of affordable housing which is clearly supported by policy H23 (Affordable Housing) of the Wrekin Local Plan which aims to negotiate an overall target of 38% level of affordable housing on land greater than 0.5ha or for a proposed development of 15 dwellings or more. The Council's Affordable Housing Department has welcomed the scheme put forward for 100% affordable housing as amongst other issues it will help to meet identified local housing needs and assist those who wish to downsize their accommodation due to the impact of national Welfare Reform. The applicant has also offered the contributions as requested at outline stage including £47,210 towards the adoption of the woodland, £7,500 towards the treatment of infected Ash trees on site in addition to £375 per dwelling towards off site play area and maintenance which is compliant with policies OL12 and OL13 of the Wrekin Local Plan.

### Green Network

Part of the application site falls within the Borough's Green Network designation at the northern boundary of the site that runs parallel with Kemberton Way. This includes an established tree belt with multiple tree species including oak, hawthorn, willow, ash, sycamore, field maple, hazel, elder and ornamentals around the site which will require long term management, this will be dealt through a planning obligation for maintenance as well as standard conditions.

It is considered that the proposal will retain and enhance the existing tree screen on site which serve a number of purposes in screening the site, creating wildlife corridors and would also create an element of protection to the new dwellings from traffic noise. As the proposal does not seek to develop this area, rather retain and enhance, it is concluded then that there will be no effect on the function or aims of the Green Network.

Accordingly, officers consider that the principle of residential site can still be supported as the proposal remains in accordance with local policy and national guidance. Subject to the proposed site layout, density, specific design of the proposed dwellings, adequate access and car parking, the Local Planning Authority considers the proposed development remains acceptable.

### Scale and Design

The proposed development for 44no. dwellings will incorporate a mix of dwellings including semi-detached dwellings, terraced houses and apartments, all of which will be served off the main spine road through the site, branching off from Chillcott Drive. The properties will be set back from the highway by approximately 4.5-7m which will allow for appropriate landscaping and tree planting. The proposed dwellings are generally domestic in scale being 2 storeys for both the flats and houses with a consistent ridge height of 8m, allowing dual pitched traditional roof structures with gables to the front of some properties which will break the roof scape and provide a vertical element to the primarily horizontal emphasis of the buildings.

The overall scheme will be fairly uniform in appearance with finishing materials comprising of multi faced red brickwork, interlocking concrete roof tiles (slate grey in colour), white upvc windows, flat roof porches and black coloured rainwater goods. Finer detailing includes brick soldier course lintels, brick course detailing and buff coloured window cills. Approximately half of the proposed dwellings will include some rendering (white in colour) to the front elevations which will help to break up the overall uniformity of the scheme.

Each of the proposed houses will have an adequate provision of private amenity space which will be enclosed by timber fencing. Sufficient space will allow the provision of garden sheds, bin stores and rotary washing lines without compromising the level of private amenity space. An area of common amenity space has been provided adjacent to the block of flats which will be shared between the residents. Provisions for the storage of bikes, bins and rotary washing lines will also be made.

Throughout the development there are areas of green open space with proposals for landscaping and appropriate tree planting. It is proposed to trim back the existing tree canopy of the trees which abut the proposed development boundaries and this is required in order to successfully accommodate the proposed development to ensure there is adequate amenity space for the properties and to ensure that adequate levels of daylight can be achieved to the rear elevations of the properties. A tree report has been submitted as part of this application and the Council's Arboriculture Officer has raised no objections to the proposal subject to the imposition of appropriate conditions. Proposed landscaping of the site includes additional tree and hedge planting and the rear gardens will be turfed. The proposed scheme identifies various forms of boundary treatment including close boarded

timber fencing of varying heights as well as railings. Officers have some concerns regarding elements of the proposed boundary treatments, especially to the front of the proposed dwellings and therefore a condition will be imposed requesting further detailing of the boundary treatments and an amended scheme where both parties are satisfied.

The proposed development will be self-contained within the site boundaries with the existing woodlands surrounding the development area being left largely untouched. The closest neighbouring property is the 'Chillcott Gardens' Residential Home which is sited approximately 20m to the south of the site. Kemberton Drive lies to the west of the site beyond Bridgnorth Road. Officers are satisfied that there will be no significant adverse impact on the amenities of any neighbouring property by virtue of any loss of privacy, light or any overbearing impact. Officers appreciate that there will be some disturbance to the residents of the Residential Home as a result of the proposed development being constructed, this principle has already been established through the approval of the recent application; this will be a temporary nature and appropriate conditions can be included to the approval to control the management of the site to reduce the potential impact as much as possible. With regards to the impact on the street scene, much of the development will be screened from view from Bridgnorth Road as a result of the existing woodland however the development will become visible from Chillcott Drive and officers are satisfied that the design of the scheme will complement the character of the area and complemented by the existing open space.

### Highways

Access to the proposed development site will be provided off Chillcott Drive which branches off Bridgnorth Road and currently serves as access to the 'Chillcott Gardens' Residential Home to the south. Sufficient car parking has been provided for the level of the proposed development and parking areas are predominantly to the front or to the sides of the proposed dwellings. There will be a small courtyard area of parking which will serve four of the 1 bed, 2 person dwellings which will be located to the side of the building.

The proposed road through the site will be tarmacked and will be broken up by intermittent areas of concrete paviors. The new driveway has been designed to provide turning area for a refuse vehicle and domestic vehicles as requested by the Highway Engineer.

An independent Transport Statement has been provided as part of this application which summarises that the impact of the proposed development on the capacity of the local highway network is likely to be negligible, and in line with the previous development principles recently approved.

The Council's Highways Engineer had some initial concerns with regards to the proposed scheme and subsequent amended plans were received in order to address these concerns. Amongst other issues, improvements to the proposed access, location of parking spaces, and width of the carriageway have now been made and accordingly the Highways Engineer has confirmed that there are no objections in principle subject to various conditions.

However, the Highways Engineer has commented that the Bus Stop on Bridgnorth Road is situated directly opposite the access bellmouth on to Chillcott Gardens. This arrangement is not considered to be ideal however it is acknowledged that this Bus Stop has been operating for many years and it is not seen as being a significant highway safety issue. However there are some concerns relating to the increased number of pedestrian movements within the local area associated to the proposed development. Accordingly, it has been requested that conditions be imposed for the provision of a Tactile Pedestrian Crossing across Bridgnorth Road linking the proposed development to the Bus Stop. In addition, a 2m wide pedestrian footway will need to be provided on the east side of Bridgnorth Road linking the proposed development to the nearest pedestrian and cycle route which runs along Cuckoo Oak Roundabout. These conditions will be imposed to any approval accordingly.

### Noise

The National Planning Policy Framework advises that the planning system should contribute to and enhance the natural and local environment by 'preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability'.

An independent Noise Report has been submitted as part of this planning application. This report has identified that the predominant source of noise affecting this site is road traffic; mainly on the A442 but also with a contribution from traffic on the A4169 and Bridgnorth Road. The report suggests that a noise barrier could be considered to reduce the impact of road traffic noise from the A442 however the efficacy of this solution would need to be tested given the relative height and distances between the proposed development area and the A442 road, together with the contributions of noise from other roads surrounding the site. Suitable internal noise levels could also be achieved through the use of suitable glazing and acoustic ventilation. Levels of industrial noise were observed to be low and largely masked by road traffic noise and therefore this was not considered to be an issue for the proposed development. In absence of such supporting documentation, officers consider it necessary to condition a Noise Mitigation Scheme to be submitted prior to the commencement of development to ensure the existing and proposed development is not adversely affected by unacceptable noise pollution.

## Drainage

A Flood Risk Assessment has been submitted as part of this planning application which identifies the main flood risks associated with this site as being groundwater and overland flow flooding. In line with the National Planning Policy Framework guidance, the flood risk assessments have identified that the proposed developable area of the site lies entirely within Flood Zone 1 and therefore the site passes the Sequential Test and the Exception Test is not considered necessary for this development.

The Council's Drainage Engineer has raised no objections to the principle of the proposed development however it is noted that the Flood Risk Assessment submitted is dated November 2012. Whilst the principles of the document are acceptable the document should be updated to reflect the current development proposals. Conditions will also be imposed to any approval requiring a scheme of foul and surface water drainage to be submitted prior to the commencement of any development.

## Ecology, Biodiversity and Trees

An independent Ecology survey accompanies this planning application. From the walkover survey and desktop study it was concluded that there is a low residual risk that badgers could be present in inaccessible areas within the site boundary, that tree, scrub and grassland areas may provide suitable nesting habitat and that there is a residual risk that reptiles could be present on site.

The Council's Ecologist has been consulted on this application and has recommended certain conditions be imposed to any approval, including the erection of bat and bird boxes and a lighting plan to minimise disturbance to bats, a European Protected Species. In addition, a pre-commencement badger survey is required as well as a method statement for the protection of wildlife. The Local Planning Authority will include the requested conditions as well as wildlife informatives to any approval as requested.

As part of the wider landscaping of the site, it is proposed to trim back the existing tree canopy of the trees which abut the proposed development boundaries and this is required in order to successfully accommodate the proposed development to ensure there is adequate amenity space for the properties and to ensure that adequate levels of daylight can be achieved to the rear elevations of the properties. A tree report has been submitted as part of this application and the Council's Arboriculture Officer has raised no objections to the proposal subject to the imposition of appropriate conditions.

## Section 106 Contributions

The applicant has agreed to enter in to a Section 106 agreement for the whole site in relation to affordable housing in accordance with policies H24 of the Wrekin Local Plan and CS1 of the Core Strategy. The proposed development will offer a 100% affordable housing for rent which far exceeds the target levels stated within local policy. In addition, the applicant has agreed a contribution of £47,210 towards the adoption of the woodland surrounding the development site, a contribution of £7,500 for the treatment of infected Ash trees on site as well as £16,500 towards off site play area and maintenance (£375 per dwelling). These contributions amount to a total of £71,210. Contributions from education were not requested on the previous application, and taking account that the development will provide 100% affordable housing within the urban area, going over and above the requirements of local policy no education contributions have been sought on this site at this time.

## Other Issues

The Council's Contaminated Land Officer has requested a condition be imposed to any approval to assess the site for potential land contamination to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The Council's Sustainability Officer has stated that the development must be completed using Code for Sustainable Homes and the development will be required to meet CSH rating 4 for residential elements. Again, appropriate conditions will be imposed to control this.

Officers acknowledge the objection received to this planning application. Whilst the site does fall within the Borough's Green Network designation, much of the existing woodland will remain untouched. The proposal seeks to retain and enhance this area and therefore there will be no significant adverse impact on the function or aims of the Green Network. Furthermore, the Council's Ecologist has confirmed that there are no objections to the proposed scheme subject to the inclusion of appropriate wildlife conditions to any approval. The Local Planning Authority has considered the scale and mass of the development and does not consider it to be overdevelopment of the site. Sufficient on-site parking, private amenity space and green space have been achieved whilst providing a welcomed level of affordable homes.

## Conclusion

To summarise, the Local Planning Authority considers the proposal for 44 affordable homes on land off Chillcott Drive in Madeley to be acceptable, especially as the principle of residential development on this site has already been established through the granting of outline planning permission in April 2013. The proposed development offers a mix of house types from 1 bedroom flats to 3 bedroom houses with a relatively contemporary design including adequate private amenity space and on-site parking. The layout and density of the proposed development is considered to be appropriate without affecting the amenities of neighbouring properties or the character of the area.

Whilst the development land is located within the Borough's Green Network designation, the woodland surrounding the site is to be retained and enhanced therefore meeting the aims of this designation. The application site is located within the urban area of Telford and in a highly sustainable location and therefore representing a sustainable form of development as supported by the National Planning Policy Framework. The proposed development will provide 44 affordable homes for rent which will help to meet identified local housing needs and assist those who wish to downsize their accommodation due to the impact of national Welfare Reform. In addition, the applicant has agreed to enter in to a Section 106 agreement to provide a contribution of £47,210 towards the adoption of the woodland surrounding the development site, a contribution of £7,500 for the treatment of infected Ash trees on site as well as £16,500 towards off site play area and maintenance (£375 per dwelling). Accordingly, the proposed development is compliant with both local and national policy and the Local Planning Authority recommend the scheme be approved subject to conditions.

### RECOMMENDATION :

The Local Planning Authority's recommendation to Committee is to GRANT DELEGATED AUTHORITY to the Development Management Service Delivery Manager to GRANT FULL PLANNING PERMISSION subject to the applicant entering in to a Section 106 agreement for;

- £47,210 towards the adoption of the woodland
- £16,500 towards off site leisure and play facilities
- £7,500 for the treatment of infected Ash trees

The following conditions to be imposed to the planning approval subject to the above:

- |     |                      |
|-----|----------------------|
| A04 | Time Limit – 3 years |
| B11 | Material Samples     |

B061 Scheme for Foul & Surface Water Drainage/Greenfield Run off rates  
B057 Contaminated Land  
B120 Landscaping Implementation  
B089Cus Noise Mitigation Scheme  
B150 Site Management Plan  
C013 Parking, Turning, Loading & Unloading  
C014 Visibility Splays  
C020Cus Pedestrian Footway Design  
C020cus Tactile Pedestrian Crossing Design  
C020cus Details of new Roads, Footways etc  
C38 Development in accordance with plans  
C043 Amended Flood Risk Assessment  
C074 Tree Protection/Surgery  
C100 Bat Boxes & Bird Boxes  
C106 Lighting Plan  
C109Cus Pre-commencement Badger Survey  
C109Cus Method Statement for Protection of Wildlife  
Ccus No Approval of Boundary Treatments  
D01 Removal of Permitted Development Rights

Wildlife Informatives

Highways

Fire Authority

