

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

THIS APPLICATION IS TO BE RECONSIDERED BY MEMBERS FOLLOWING THE COUNCILS ANNOUNCEMENT REGARDING THE 5 YEAR HOUSING SUPPLY

1.0 BACKGROUND

- 1.1 This is an update to the Planning Committee following the announcement on 19th March 2015 that Telford and Wrekin Council can now demonstrate a five year supply of housing land as a result of the receipt and publication of the Telford & Wrekin Objectively Assessment Housing Need by Peter Brett Associates (March 2015). As a consequence of having a five year housing supply members have been asked to revisit applications which have resolutions to grant subject to signing of a S106 agreement and reviewing the original decision in the light of the change in the five year supply position. This is the last application of this nature to come before committee.
- 1.2 The Committee resolved to approve the application on the meeting of 21st May 2014 subject to conditions and a S106 agreement that included the provision of the following:-
- i. provision of 23% affordable housing on site together with an off-site financial contribution of £300,000 to include a suitable review mechanism;
 - ii. the payment of £576,929 for primary education enhancement and £306,751 for secondary education enhancement (25% of total on commencement of development, 50% on completion of 25% of the dwellings and 25% on completion of 50% of the dwellings);
 - iii. a contribution of £130,000 towards the provision of upgraded sports pitches to be paid upon completion of 25% of the properties;
 - iv. a contribution of £25,000 for public art provision either on site or in Wellington to be paid upon commencement of development;
 - v. a contribution of £410,720 towards off-site junction improvements to be paid upon commencement of development;
 - vi. contribution of £15,000 towards bus infrastructure improvements to be paid upon commencement of development;
 - vii. a contribution of £20,000 towards off-site traffic calming to be paid upon commencement of development;
 - viii. a contribution of £5,000 for Travel Plan monitoring and £15,000 for planning and financial monitoring to be paid upon commencement of development.
- 1.3 The S106 agreement had been signed by the applicant and submitted to the Council for completion but had not been completed at the time of the five year housing supply announcement.

- 1.4 Following the announcement that the application would need to be re-considered at Committee, the applicant considered its position and decided to lodge an appeal against non-determination of this application which is currently on-going. The Planning Inspectorate consider that a Public Inquiry is the most appropriate means by which to consider the appeal and the Public Inquiry will commence on the 16th February 2016. The Council therefore no longer has the power to make a decision in respect of this application but does need to form a view on the application in order to have a position going forward at the Inquiry.
- 1.5 In addition, a separate (twin-track) application has also been submitted under TWC/2015/0364 for a near identical development, with the exception that additional land has been included for the provision of a drainage channel. This application is scheduled to be determined at the Planning Committee meeting of the 7th October 2015 as the Council is waiting for further transport information.

2.0 NEW CONSULTATION RESPONSES

2.1 Wrockwardine Parish Council: No comment

2.2 Standard consultation responses

2.2.1 Arboricultural: Comment

Please refer to previous comments made.

2.2.2 Heritage Officer: No comments received.

Please refer to comments on TWC/2015/0364

2.2.3 Public Protection (Contaminated Land): Support subject to conditions

The phase 1 contaminated land desk study concludes that further assessment of the site is required through an intrusive investigation. Therefore if the Officer is minded to approve the application contaminated land conditions requiring an intrusive investigation, remediation statement and validation statement subsequent to any remediation is carried out if necessary will be required

2.2.4 Parks and Open Spaces: Support subject to conditions

Proposal appears to have answered previous queries. Requests conditions in relation to landscape detail (including for the NEAP), properties overlooking the NEAP not to be occupied until completion of the NEAP and the provision of a long term (not just 15 years) landscape management plan (which also highlights who is to maintain and how this is to be financed).

2.2.5 Severn Trent: Comment

Confirm no objections to the proposals subject to the inclusion of a condition requiring details of the disposal of foul and surface water, in order to ensure the development contains a satisfactory means of drainage and to reduce the likelihood of creating a flooding problem and to minimise the risk of pollution.

2.2.6 West Mercia Constabulary: Comment

Does not wish to formally object, however, advises of opportunities to design out crime and /or the fear of crime and to promote community safety. Requests a condition requiring applicant to achieve Secured By Design (SBD) award status for this development.

2.2.7 Shropshire Fire Service: Comment

Consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications.

2.3 **Neighbour consultation responses**

2.3.1 Two further objections have been received from local residents citing the following concerns: -

- Totally opposed to development
- Will destroy Wellington as well known market town
- Approach to Wellington will be affected forever
- Green fields will be destroyed/lost
- Infrastructure of Wellington cannot cope with the traffic
- Traffic lights at Holyhead Road - Haygate Road junction will cause tailbacks outside neighbours property

3.0 **RELEVANT PLANNING POLICIES**

3.1 National Planning Policy Framework (NPPF)

3.2 Core Strategy:

- CS1 Homes
- CS3 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

3.3 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
- OL6 Open Land
- 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

3.4 Telford and Wrekin Draft Local Plan (2015)

SP1 Establishes the spatial strategy for Telford.

SP3 Confirms the Council's commitment to protecting the rural area and restricting development.

SP4 Requires the Council to adopt the presumption in favour of sustainable development as defined in the NPPF

HO2 and Appendix D identify housing site allocations to bring forward to meet the Council's housing requirement up to 2031. The application site is not identified on this schedule and is not considered necessary to meet the borough's housing requirement of 15,555 homes.

BE3 and BE5 affirm the Council's commitment to protect the settings of listed building and to protect and enhance the borough's historic parks and gardens, their associated features and settings.

4.0 **PLANNING CONSIDERATIONS**

4.1 Having regard to the development plan policies and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Whether the proposal represents sustainable development
- Loss of best and most versatile agricultural land
- Impact upon Heritage Assets
- Impact upon Landscape
- Planning Obligations/S106 Contribution

4.2 Principle of Development

4.2.1 At the heart of the National Planning policy Framework (NPPF) is a presumption in favour of sustainable development which should be seen as the golden thread running through both plan-making and decision-taking. 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 the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework, taken as a whole.

4.2.2 The NPPF at paragraph 47 requires the Council to maintain a five year rolling supply of housing. Where this cannot be demonstrated, local planning policies in respect of residential development are considered out-of-date and cannot be used in the determination of planning applications. At the time of the previous planning committee on 21st May 2014, Telford & Wrekin Council were not able to demonstrate a five year housing land supply therefore the application was considered against the NPPF with its presumption in favour of sustainable development. This required a balancing exercise weighing up the benefits of the proposal against the nature and severity of any adverse impacts. At that time, significant weight was applied to the provision of housing and this benefit was considered to outweigh the potential harm in terms of adverse impacts upon nearby heritage assets and the surrounding landscape.

4.2.3 Telford & Wrekin Council announced on 19th March 2015 that they can now demonstrate a five year supply of housing land and as such, local planning policies in respect of residential development are now considered up-to-date and can be used in the determination of this application. The planning landscape has therefore changed since the original determination of this application at Planning Committee.

- 4.2.4 The Council is confident of its housing land supply position, which is supported by robust NPPF compliant local housing market assessment. This means in turn that existing planning policies that impact on the supply of housing should no longer be treated as out-of-date in terms of interpreting paragraph 49 of the NPPF. This view is supported in a recent appeal decision at Tibberton (TWC/2014/0236) for an outline application of up to 60 homes where the inspector found that as the Council could demonstrate a five year housing land supply, and as a consequence of that, its housing supply policies (CS1 and CS7) were not out of date.
- 4.2.5 In light of the above, Policies CS1, CS3 and CS7, as the relevant local plan policies, can now be applied. Policy CS1 sets out the strategic approach to the delivery of new homes in the Borough over the plan period. Policy CS3 advises that Telford will be the focus for the majority of new homes, jobs and services. Policy CS7 (Rural Area) concerns the delivery of all development in the Rural Area and advises that development will be focussed on the settlements of High Ercall, Tibberton and Waters Upton with a requirement to deliver affordable housing at 40%. Outside these settlements development would be limited and within the open countryside strictly controlled. Policy CS7 effectively supersedes saved Policy H9 of the Wrekin Local Plan, which set out a similar approach, restricting residential development to 13 specified settlements and restricting development outside of those settlements to exceptional circumstances such as agricultural or forestry workers dwellings, conversion schemes or small scale affordable housing.
- 4.2.6 This site is located outside the spatial development limits of Wellington as defined by the Wrekin Local Plan and therefore constitutes development in the rural area. The proposal is therefore inconsistent with the Core Strategy. This position is reinforced by the draft Telford & Wrekin Local Plan (2015) which does not anticipate this site being developed on or needed to support future housing need. The draft local plan includes Policy SP1 which sets out the strategic approach to development within Telford within the plan period and includes a number of strategic urban extensions identified within Policy HO2. Policy SP3 concerns development in the rural area which gives preference to the re-use of previously developed land and seeks to protect the best and most versatile agricultural land. Policy SP4 sets out a presumption in favour of sustainable development subject to meeting a number of set objectives. The draft Telford & Wrekin Local Plan is currently out for public consultation until 25th September 2015 and can therefore be afforded limited weight in the determination of this application. However, the Local Plan will have progressed further by the time of the Inquiry.
- 4.2.7 The NPPF remains a material consideration in this case. Officers have carefully reviewed the application against the NPPF and whilst it is acknowledged that the scheme would provide 330 family homes to the area, given that the Council can now demonstrate an 8.2 years supply of housing, any benefits in this respect now carry less weight in the planning balance. In addition, the new Planning Officer has considered the overall merits of the planning application and has identified issues not raised before. As a result, in making a balanced planning judgement, more weight has been given to issues such as the impact upon heritage assets, the local landscape, the loss of agricultural land and availability of other brownfield sites. As a result, the following issues are considered relevant: -
- 4.3 Sustainable Development/Site Location:
It is noted that residents who have objected to this application believe that there are brownfield sites available that should be developed in preference to greenfield sites. The draft Local Plan has adopted a similar view and indicates that there are many other sites within Telford that have much better sustainability credentials and will be

promoted on this basis, which is consistent with the NPPF. The application site is not brownfield and is not a preferred site for development. On the face of it, this site is within reasonable distance to Wellington's town centre and market town facilities but the main driver for future growth of the Borough is through the allocation of strategic urban extensions, which will deliver a substantial proportion of the needs of Telford. Because of its relatively modest scale, this development is not self-sufficient and relies entirely upon existing facilities and services. This by itself is insufficient to refuse permission; however other factors described below demonstrate that the site is not sustainable in planning terms.

4.4 Loss of best and most versatile agricultural land:

The site contains Grade 1 and Grade 2 Agricultural Land as classified in Natural England's 'Agricultural Land Classification: Protecting the Best and Most Versatile Agricultural Land'. This is a key consideration both as a constraint to any allocation in the draft Local Plan and in terms of the consideration of planning applications. The use of the higher classified land without justification is contrary to the NPPF paragraph 112 and constitutes a very serious impediment to the granting of planning permission.

4.5 Impact upon Heritage Assets:

4.5.1 The site lies in close proximity to two designated heritage 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.

4.5.2 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. The setting of the parkland is the main consideration in this application.

4.5.3 Heritage England has confirmed that the proposal would not be likely to impact upon the setting of Orleton Hall due to the distance from the site to the Hall and intervening undulating landscape features and screening in between. Your officers concur with this view.

4.5.4 Orleton Hall Park and Garden is included within the English Heritage register as Grade II and covers an area of some 25 hectares 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 which 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.

4.5.5 Two public right of ways are located within or adjacent to the site. One of these, the Shropshire Way runs along the north east side of the site and extends out across

land to the north. The second right of way crosses the northern part of the site on an east-west access, linking Orleton Hall with Powder Lane to the east. Views of the historic park and gardens are possible from both footpaths together with views from both Haygate Road and Holyhead Road to the east and south of the site.

- 4.5.6 Saved Policy HE24 of the Wrekin Local Plan seeks to protect and enhance historic parks and gardens and requires that development will not be permitted which would impair longer views of such sites and their wider landscape setting. Draft local plan Policy BE5 also concerns the protection of historic parks and gardens. It is considered that the proposed development will cause harm to the significance of the registered park and gardens when viewed from Haygate Road and Holyhead Road and this has been acknowledged by the applicant who has proposed a landscaping scheme has mitigation. Officers consider that any landscaped buffer will take many decades to mature therefore views towards the registered park will be significantly and unacceptably affected for many years to the detriment of the park's significance as a historic asset and visual quality. During the short and medium term therefore, the proposals will cause significant harm to the setting of the registered park and gardens at Orleton.
- 4.5.7 Having regard to the above concerns, it is considered that the proposal would impair longer views of the historic park and garden and the wider landscape setting and would therefore fail to accord with Saved Policy HE24 of the Wrekin Local Plan, draft local plan policy BE5, Core Strategy Policy CS14 and the requirements of the NPPF. Paragraph 133 of the NPPF requires that development should be refused where the proposal will lead to substantial harm to a designated heritage asset unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits which would outweigh that harm or loss. Paragraph 132 advises that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building, park or garden should be exceptional.
- 4.6 Impacts upon Landscape:
- 4.6.1 In addition to the landscape effects on the registered park and gardens, the impact of the proposal upon the landscape of the area and upon the more immediate environs of the town is also a key consideration with this proposal.
- 4.6.2 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. Paragraph 109 requires that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. 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.
- 4.6.3 Policy OL6 of the Local Plan seeks to protect locally important incidental open land within or adjacent to built up areas where the land contributes to the character and amenity of the area. The land the subject of the application site is close to residential areas and is accessible to many of Wellington's residents. Those residents use this open land because of its setting within the existing agricultural landscape, its relatively close proximity to national designations of AONB and the Wrekin Scheduled Ancient Monument, the Listed Historic Park and Listed Buildings.

- 4.6.4 The applicants state that 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. Officers disagree with this view and consider that the presence of the cricket club by comparison does not unduly affect the registered park and is a gentle and somewhat pastoral foreground feature before the formal landscape of the registered park begins.
- 4.6.5 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, 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.
- 4.6.6 It is therefore the 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 key 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.
- 4.6.7 The Council's Landscape Officer has commented on the application and landscape assessment. The proposals include commitments to ensure that key landscape features including the presence of mature trees and hedgerows are retained, reinforced and enhanced. However there are no certainties that these measures will be sufficient to mitigate the detrimental effect of the new development upon the historic landscape and indeed the LVIA itself acknowledges that the screening effect of planting will only be achieved over time as the planting matures. The site was included in the 2009 Landscape Sensitivity & Capacity Study that made references to the site not having capacity for housing and that the site was inappropriate for housing.
- 4.6.8 Having regard to the concerns raised above, it is considered that the proposal will fail to protect or enhance an area of open land adjacent to a built-up area where the land contributes to the character and amenity of the area. In this respect, the proposal fails to accord with Core Strategy Policies CS11 and CS12 and Saved Policies OL6 and HE24 of the Wrekin Local Plan together with Paragraphs 17 and 109 of the NPPF.

4.7 Planning Obligations/S106 Contribution:

The terms of the Section 106 agreement are currently being revisited in light of the submission of the appeal for this application and following the update to the CIL regulations. An update of progress will be provided to members prior to the committee meeting.

5.0 CONCLUSION

- 5.1 As required by Para 47 of the NPPF, Telford & Wrekin Council can now confidently demonstrate that it has an adequate five year housing land supply and as a consequence, the housing policies contained within the Development Plan are considered relevant and up to date. Core Strategy Policy CS1 sets out a strategic approach for the delivery of housing within the Borough, with Policy CS3 focusing the majority of new housing on the Telford urban area. In the rural area, Policies CS7 and Saved Policy H9 of the Wrekin Local Plan seeks to focus all development on specified settlements and will strictly control development within the open countryside. The site is located outside of the built up area of Telford and therefore falls within open countryside and is therefore contrary to the requirements of the existing local development plan in terms of the location of residential development.
- 5.2 It is considered that the proposal would result have an adverse impact upon a nearby heritage asset in the form of the Grade II listed Orleton Hall Park and Garden which is of significant value. The site is visible from two public rights of way including the Shropshire Way and a footpath which crosses the development site and views of those heritage assets will therefore be considerably diminished, to the detriment of their character and setting and contrary to Saved Policy HE24 of the Wrekin Local Plan. Whilst the applicants argue that such impacts could be mitigated through a landscaping scheme, officers argue that this would take decades to mature during which time, views towards the registered park will be significantly and unacceptably affected to the detriment of the park's significance as a historic asset and visual quality. Paragraph 133 of the NPPF advises that development which is harmful to designated heritage assets should be refused unless it can be demonstrated that such harm is necessary and can be outweighed by substantial public benefits. The Council are now able to demonstrate an adequate supply of housing land and this factor no longer outweighs the adverse impacts identified in this report.
- 5.3 The proposal will also result in the loss of the best and most versatile agricultural land without sufficient justification, contrary to the requirements of NPPF Paragraph 112 and will also have an adverse impact upon the character and appearance of the landscape on what is considered to be a key approach into Wellington Town Centre, contrary to NPPF Paragraph 109. Clearly the proposed location has sensitivities in terms of the wider landscape context and location close to heritage assets.
- 5.4 It is acknowledged that 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 will not cause harm to the surrounding residential amenity provided adequate conditions are imposed. However, these factors do not now override the planning objections to this proposal
- 5.5 In summary, it is therefore considered that the proposal is contrary to Core Strategy Policies CS1, CS3 and CS7 and Saved Policy H9 of the Wrekin Local Plan in terms of the location of residential development, Policies CS11, CS12, CS13 and Saved Policy OL6 in terms of landscape impact, loss of agricultural land and open land and CS14 and saved policy HE24 in terms of the impact upon heritage assets. In

addition, the proposal is considered to be contrary to the requirements of the National Planning Policy Framework, with specific regard to paragraphs 17, 109, 112, 132, 133 together with policies contained within the emerging draft local plan.

- 5.6 Paragraph 14 of the NPPF advises that applications which accord with the development plan should be approved without delay. Given that the proposal fails to accord with the requirements of the development plan for the reasons listed above, the proposal also fails to comply with Paragraph 14 of the NPPF.

6.0 RECOMMENDATION

- 6.1 Had the Council been in a position to determine this application then Members would have recommended that Outline Planning Permission be refused for the following reasons:

- 1) The proposal represents unacceptable encroachment into the open countryside which is of local importance at a key approach into Wellington and the loss of an extensive area of high quality agricultural land for which there is no housing justification and would therefore adversely affect the character and appearance of the area which has historic and sensitive value. Accordingly, the proposal is contrary to adopted Core Strategy Policies CS1, CS3, CS7, CS11, CS12, CS13 and CS14, saved Policies H9, OL6 and HE24 of the Wrekin Local Plan and the National Planning Policy Framework.
- 2) The proposal would adversely affect the setting of the adjacent listed park at Orleton Hall and the impact upon this heritage asset, for which there is no housing justification would adversely affect the character and appearance of the area. Accordingly, the proposal is contrary to adopted Core Strategy Policies CS1, CS3, CS7, CS11, CS12 and CS14, saved Policies H9, OL6 and HE24 of the Wrekin Local Plan and the National Planning Policy Framework.

ORIGINAL REPORT CONSIDERED AT PLANNING COMMITTEE MEETING ON 21st MAY 2014

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 26th 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* 18th 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 20th 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, contextual 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 Hoskens - 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 1st 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