

TWC/2015/0364

Land to the North of, Haygate Road, Wellington, Telford, Shropshire

Outline application for the erection of up to 290 no. dwellings with associated access, all other matters reserved (amended description)

APPLICANT

Gladman Developments Ltd, Gladman Developments

RECEIVED

10/08/2015

PARISH

Wellington, Wrockwardine

WARD

Ercall, Haygate, Wrockwardine

OFFICER Steven Drury

1.0 PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of up to 290 dwellings on land to the north west of Haygate Road, Wellington. The application includes a consideration of access with all other matters reserved for later consideration.
- 1.2 The application includes 25% affordable housing, 5.84 hectares of green infrastructure including the provision of formal and informal open space, a Neighbourhood equipped play area (NEAP), skate park, ball court, the introduction of a Sustainable Drainage System (SUDS) and associated landscaping.
- 1.3 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 and Supplementary Report
 - 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)
- 1.4 The proposed development will be served by a single access onto Haygate Road. The application proposes mitigation for off-site highway impacts including an agreement to provide financial contributions towards improvements towards specified junction improvements with the local highways network.

- 1.5 The Council has confirmed that this proposal is not an EIA development requiring an Environmental Statement.
- 1.6 This application is a near identical, twin-track application to planning permission reference TWC/2013/1033, which is currently the subject of an appeal for non-determination but was considered by Planning Committee on 16th September 2015 where Members resolved that they would have recommended the application for refusal. The appeal will be considered at a Public Inquiry to be held in February 2016.
- 1.7 For the avoidance of doubt, this application differs from the initial application in the following ways: -
- reduction in number of units from 330 to 290
 - addition of drainage culvert to provide surface water to watercourse to north west of site
 - addition of 1.23 hectares of open space and landscaping
 - re-routing of No. 55 bus service along Haygate Road

2.0 SITE AND SURROUNDINGS

- 2.1 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 bound 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.
- 2.2 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.
- 2.3 The site lies directly adjacent to the Historic Orleton Hall and Park to the south-west forming part of Orleton Hall, a Grade II* Listed 18th century mansion which is located within the far north of these grounds. 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.
- 2.4 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.
- 2.5 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.

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

2.7 Two public right of ways are located within or adjacent to the site. The Shropshire Way runs along the north east side of the site and extends out across land to the north. A right of way also crosses the northern part of the site on an east-west access, linking Orleton Hall with Powder Lane to the east.

3.0 RELEVANT PLANNING HISTORY

3.1 TWC/2013/1033 – Outline application for the erection of up to 330 dwellings - currently the subject of an appeal for non-determination - was considered by Planning Committee on 16th September 2015 where Members confirmed they would have refused the application.

4.0 SUMMARISED CONSULTATIONS

4.1 Parish Council/Local Member/Member of Parliament:

4.1.1 Wrockwardine Parish Council: Object

Wrockwardine Parish Council wishes to remind the Borough Council that it has not changed its view since the initial application, TWC/2013/1033, which opposed 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.

4.1.2 Wellington Town Council: Object

The Town Council objects and suggests that the application should now be considered in the light of the Borough's Five Year Housing Land Supply. Objection as follows:

- Outside the current settlement boundary, has not been identified as a preferred option within the 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.
- No housing need
- Increased traffic and vehicle movements.
- 330 houses disproportionate and inappropriate for the area.
- Prime agricultural land.

- Visual impact
- Impact on character

4.1.3 Cllr Anthony Lowe (Town Council): Object

There is now a sufficient supply of housing land supply (over 5 years), Haygate Road is already congested, as is the junction with Holyhead Road and the cut-through of Herbert Ave. Any more housing in this area would make a difficult traffic situation even worse. There is no need for development on green field in Wellington where plenty of brown field sites are still available (eg Orleton Park School). As a Councillor for Shawburch, I am also aware of the likely additional traffic that will be generated following the development of the Alscot Beat Factory site and the Maxwell site. Haygate Fields is undesirable, unnecessary and the planning application should never have got this far.

4.1.4 Mark Pritchard MP: Object

Objects on the following grounds:

- Loss of privacy for nearby houses
- Traffic – the addition of 600+ cars would produce traffic beyond the capacity of the roads
- Parking – commuting will not be possible as Wellington Station car park is usually full
- Impact upon setting of Grade II listed Orleton Hall
- The site would be visible from The Wrekin, part of the Shropshire Hills AONB
- The Council now has a 5 year housing land supply and therefore already has enough land for housing.

4.2 **Standard Consultees**

4.2.1 Planning Policy Team: Object

The scheme does not represent sustainable development as defined by the NPPF and should be resisted. The recent planning appeal at Tibberton (TWC/20014/0236) confirmed that the Council's housing locational policies are up to date.

4.2.2 Officers have read the applicant's five year housing land supply statement. They disagree with the assumptions underlying it and its conclusions. The policy officer does not consider that the applicant can justify the release of this site for housing. The proposal is inconsistent with Core Strategy Policy CS7 and Local Plan Policy H9. Separate from this, the policy officer advises that the other landscape objections raised by the Landscape Officer provide further reasons why this proposal is wholly inconsistent with the development plan.

4.2.3 English Heritage: Comment

No objection subject to comments advising the Council requiring prior approval of screen planting on the western boundaries of the site and appropriate arrangements being in place for future maintenance. No further comments have been received in respect of amended plans.

4.2.4 Built Heritage & Conservation: Object

Object to development on the grounds that it will adversely affect the setting of the adjacent Listed Orleton Park. The provision of a landscaped buffer will not provide an adequate setback and will take many years to establish.

4.2.5 Following the submission of amended plans, the Conservation Officer confirms that the amendments do not address the fundamental concerns regarding the scale of development within the setting of the registered Park and Garden. The amendment is relatively minor in the wider scheme and the gain in open space does not outweigh the potential harm to the setting of the Park or to wider landscape setting of the Hall and associated curtilage.

4.2.6 Council's Urban Townscape Officer: Object

Objects on the following four grounds:

- i. The proposal involves the development of valuable Grade 1 and Grade 2 agricultural land and therefore would be not in conformity with the NPPF which seeks to protect the most valuable agricultural land.
- ii. Whilst the application proposes the provision of new green infrastructure to serve the needs of the new development, the existing green infrastructure already provides a recognised valuable agricultural green infrastructure function, that of food production.
- iii. The applicant acknowledges the impact upon the adjacent historic landscape and describes features to mitigate that impact. There are no certainties that these measures will be sufficient to mitigate the detrimental effect of the new development upon the historic landscape. Furthermore, measures proposed are designed to limit visual impact whereas the LPA contend that the issues are also about landscape setting.
- iv. It is contested that the introduction of the development would change the character of the area. The proposed site lies at the gateway to Wellington and contributes to the locally specific quality and sense of arrival to the town. The majority of the site is also identified as being High/Medium sensitivity by the Telford & Wrekin Council Landscape Sensitivity Study.

4.2.7 In response to the amended scheme, further comments received as follows:-

- The new proposals recognise the extent of the landscape issues associated with the site eg. the applicants recognise that the site requires a significant amount of green infrastructure /open space to enable it to respond successfully
- Will still result in the loss of Grade 1 and 2 Agricultural Land
- Issues is as much about setting as visual impact.
- How would extensive landscape structure be secured?
- Who would be responsible for on-going maintenance?

4.2.8 TWC Drainage: Support subject to conditions

Following amendments to the scheme which now shows surface water discharging to a watercourse to the north west of the site via a drainage channel and culvert, no objection is raised. Details of the management of

surface water on site can be controlled via conditions of any planning permission granted.

4.2.9 Planning Ecology: Comment

Confirms the intention to retain key features such as hedgerows and trees and that a comprehensive long term management plan covering a 20 year period will be agreed. There is no discernible impact on the Wrekin and Ercall SSSI and LNR. The ecologist recommends a series of conditions relating to bats, construction management plan, pre-commencement inspection for badgers, amphibian method statement and habitat management plan, provision of nesting/roosting boxes and details of lighting plan.

4.2.10 Education Services: Comment

No objection, subject to relevant education contributions towards primary and secondary school provision. Following the reduction in number of units to 290 and the change to the affordable housing provision which will now see 25% provision on site, the required contribution will be £840,691 comprising, £536,916 primary contribution to provide additional places at Wrekin View Primary School and £303,776 Secondary School Contribution towards improvement of facilities at the catchment secondary school, Ercall Wood Technology College.

4.2.11 Public Protection (Pollution Control): Support subject to conditions

The submitted noise report advises that to achieve World Health Organisation guidelines for noise, mitigation will be required for properties closest to highways. This will be confirmed on a plot for plot basis and can be controlled by a suitably worded condition.

4.2.12 Parks and Open Spaces: Comment

Comments remain the same as for the previous application ref. TWC/2013/1033. Raise no objection following the submission of amended plans with increased open space provision.

4.2.13 Requests that the NEAP design is agreed with the Public Open Space (POS)

Officer in order to alleviate any issues if the Council are being requested to adopt. NEAPs should be a minimum of 30m away from the edge of the facility to the boundary of any residential property. Requests that NEAP provision is included within a phasing plan that confirms timescales for provision. Requests confirmation of who is to maintain the open space. 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 to highlight who is to maintain the POS if not the council. The original S106 and planning conditions are acceptable and cover this query.

4.2.14 Highways: Support subject to conditions

Confirm that Highways have no objection to the proposal subject to specified conditions and S.106 contributions. These comments are given on the principle of the application being outline only.

Conditions:

- Access and design requirements for entrance of Haygate Road
- Provision of emergency access off West Road
- Details of design and construction of all roads, footways, accesses together with details of parking, street lighting and the disposal of surface water
- Details of travel plan

S106 Contributions:

- £410,720 towards traffic signal junction improvements schemes
- £10,000 towards bus stop infrastructure improvements on Haygate Road and associated pedestrian connectivity works to West Road
- £20,000 towards traffic calming in the vicinity of the site
- £5,000 towards travel plan monitoring and support

4.2.15 Highways England: No Objection

Requests that planning permission should not be granted for a period of three months to allow further works to be undertaken. The Transport Assessment does not take into account work which may have become committed since 2013, the year in which the Transport Assessment was produced. Further information is required in respect of the following: -

- Committed development
- Trip rates and development trip distribution
- Assessment of opening year and future traffic growth
- Modelling of development impact
- The outcome of further discussion will inform the need for mitigation

4.2.16 Severn Trent Water: Comment

Raise no objection subject to a condition requiring details of plans for foul and surface water drainage to be submitted prior to commencement of the development.

4.2.17 West Mercia Police: Support subject to conditions

Raises no objection but requests that a condition is attached to any approval aiming to achieve the Secured By Design (SBD) award status for this development.

4.3 Third Party Representations

4.3.1 Save Haygate Fields Group: Object

- a) Telford & Wrekin Council has its 5-year housing land supply in place and this site is not allocated in the Telford & Wrekin Core Strategy. Nor is the site allocated in the 2031 Telford & Wrekin local plan.
- b) Up to date Telford & Wrekin Council have granted planning Permission for over 8000 homes to be built, which developers & builders have not yet started to build.
- c) Haygate Road is well known for major traffic congestion at both its junctions. It is the main artery from the M54 Motorway to Wellington Centre; this is the access road for heavy goods vehicles delivering to local supermarkets: and increasingly by the emergency services

especially police and ambulances. Traffic has dramatically increased over the last few months with the building of the new care home and houses at the Holyhead Road Junction. The addition of yet another junction near the top of Haygate road to access this new estate with 330 homes potentially 660 cars and no bus route that could serve the development it will be chaos.

- d) There are no primary schools in the immediate area: no plans to build one; over stretched doctors, dentists and hospital facilities
- e) The fields in question are prone to a great deal of surface flooding, and there seems limited information in the application of how this will be resolved when large areas of concrete & tarmac have been laid down!

4.3.2 Shropshire Parks & Gardens Trust and Garden History Society:

As Shropshire Parks and Gardens Trust, and with a joint interest with Garden History Society (who are statutory consultees), our concern is with the impact of the proposed development on the grade II registered Orleton Park. We note that both Historic England 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.

4.3.3 A summary of 154 individual objections is provided below:

- Applications should be judged against the Development Plan - site is not allocated for development.
- Greenfield land – should use brownfield sites first; the Local Plan will be promoting Sustainable Urban Extensions as a way of delivering housing growth; much of Telford’s growth can and should be accommodated in the Urban Area
- Other more sustainable sites are being developed in the area and many houses remain unsold
- Site has been found to be unsuitable due to its intrinsic qualities; it falls in the Rural Area of Telford;
- Ruin the market town; would have a major urbanising effect on the town
- Local highway infrastructure inadequate
- Would involve up to 600 additional cars – several accidents have occurred in the locality
- No improvements to Haygate Road proposed
- Main thoroughfare to and from motorway, used by emergency vehicles
- Herbert Avenue is used as a rat-run
- Powder Lane/Haygate Road junction has no visibility for drivers emerging onto Haygate Road
- Residents reverse onto Haygate Road from their properties – this will cause danger and congestion
- Affect the character of the area and destroy peace and quiet
- It is a gateway site into Wellington; the view along the A5 heading down Haygate Road is “Arcadian” and outstanding

- It lies adjoining the Grade II Orleton Hall Park & Garden, close to listed buildings and visible from the Shropshire Hills and Wrekin AONB
- It has been identified as having medium/high landscape sensitivity in the Council's 2009 WYG Study i.e. has one of the top rated landscape areas in the Borough
- Place burden on existing services
- GP services; existing new retirement development on A5 will push capacity to the limit
- Existing schools cannot cope; local schools oversubscribed
- Limited public transport facilities available to this site; train station car park full before 7 am and this will lead to reliance on motor car
- FRA supplied by the applicant is inadequate, lacks sufficient topographic detail, no intrusive ground surveys undertaken and potential for SuDS may be limited by areas of hardstanding;
- History of flooding in the area particularly at Powder Lane and again on the A5
- Would damage wildlife interest on this site
- Number of dwellings excessive and type of housing inappropriate for the area
- Loss of privacy and light
- Noise and fumes – Haygate Road is heavily trafficked already particularly HGVs servicing the town
- Would involve loss of good agricultural land
- Land is also used for recreational purposes
- Impact on Wellington Cricket Club, a premier club in the West Midlands; potential risk from cricket balls.

4.3.4 A further 62 objections have been received from members of the public in response to amended plans received, citing the following additional concerns:

- Concerns remain as per previous application
- No matter how many times plans are tweaked, the proposal will still be inappropriate
- Amendments are little more than cosmetic
- Even with reduction in number of units, additional 580 (approx.) cars will create traffic chaos.
- Will not lessen the impact upon the AONB
- Infrastructure in the area cannot cope with any more housing

5.0 RELEVANT POLICIES:

5.1 The local and national planning policies relevant to the determination of this application area as follows: -

5.2 National Guidance:
National Planning Policy Framework (NPPF)

5.3 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

5.4 Wrekin Local Plan:

- UD2 Design Criteria
- UD3 Urban Design Assessments
- UD4 Landscape Design
- UD5 Public Art
- UD6 Major transport corridors and gateways into Telford
- H9 Location of New Housing
- H10 Scale of Development
- 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
- HE24 Historic Parks and Gardens

5.5 Telford and Wrekin Consultation Version Local Plan (2015)

- SP1 Telford - establishes the spatial strategy for Telford
- SP3 Rural Area – establishes that the Council will protect the best and most versatile agricultural land
- SP4 Sustainable Development - presumption in favour of sustainable development as defined in the NPPF
- HO2 Housing Site Allocations - identify housing site allocations to bring forward to meet the Council's housing requirement up to 2031. This approach includes two sustainable urban extensions to the north and east of the Telford urban area. The application site is not identified on this schedule and it is not necessary to bring it forward to meet the borough's future housing needs.

6.0 PLANNING CONSIDERATIONS

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

- The principle of development
- Encroachment into open countryside
- Loss of best and most versatile agricultural land
- Impact on heritage assets
- Impact upon landscape character
- Impact upon Shropshire Hills AONB
- Highways and transport
- Flood risk and drainage
- Other Infrastructure Impacts
- Other matters for consideration
- Sustainability of development

6.2 Principle of Development:

- 6.2.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. In this instance, the development plan consists of the Telford & Wrekin Core Strategy, together with saved policies within the Wrekin Local Plan. The NPPF is a material planning consideration but is not development plan policy. The Telford & Wrekin Local Plan is also a material consideration. It has now been through Regulation 18 consultation. Some weight should now be attached to this. The Committee must also give the Local Plan some weight because it reflects Council priorities for shaping development in the Borough and is based on significant background assessment work. Some elements of the evidence base supporting the Telford & Wrekin Local Plan (for example, the five year housing land supply statement and objectively assessed need paper) have been successfully defended at appeal.
- 6.2.2 Core Strategy Policy CS1 sets out the strategic approach to the delivery of new homes in the Borough over the plan period and as part of this approach, Core Strategy Policy CS3 directs the majority of housing towards the urban area of Telford. 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.
- 6.2.3 This site is located outside the spatial development limits of Wellington as defined by the Wrekin Local Plan and constitutes development in the Rural Area. The proposal is therefore inconsistent with the Core Strategy and this position is reinforced by the Telford & Wrekin Local Plan (2015) which does not anticipate this site being developed on or needed to support future housing need.
- 6.2.4 The NPPF at paragraph 47 requires the Council to maintain a five year rolling supply of housing. The Council announced on 19th March 2015 that it had identified a housing supply of 8.2 years based on an objectively assessed need for housing in the borough. Since the March 2015 statement was

published, the Council has carried out a review of its calculation and, as of October 2015, the updated published housing supply figure is now 10.9 years. The level of deliverable housing land supply identified more than addresses the requirements of the NPPF.

- 6.2.5 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 can be treated as up-to-date in terms of interpreting paragraph 49 of the NPPF and can be used in the determination of this application.
- 6.2.6 This view is supported in a recent appeal decision at Tibberton (TWC/2014/0236) for an outline application of up to 60 homes. Here the inspector found that as the Council could demonstrate a five year housing land supply (at that stage, the Council had a housing land supply of 8.2 years), its housing supply policies (CS1 and CS7) were up to date.
- 6.2.7 Given the location of the site, the development at this location is a departure from the development plan policy and should be resisted in principle. However, the Committee is required to consider whether there are other material considerations associated with this proposal which would outweigh the above policy objection.

6.3 Encroachment into Open Countryside

- 6.3.1 Whilst the site abuts the edge of the built up area of Wellington, it is located outside of the Telford urban area as defined by the Wrekin Local Plan and is therefore located within the rural area in planning policy terms. The application site is substantial in size, covering 15.2 hectares and would therefore result in significant encroachment into the open countryside, resulting in the loss of substantial areas of agricultural land and incidental open space on the edge of the settlement.
- 6.3.2 The site concerned has a clear rural character, as supported by the Shropshire Landscape Character Assessment which is afforded by agricultural fields, native hedgerow boundaries and mature trees and has an important function at the edge of the settlement. The site clearly defines the edge of the settlement and provides green relief from the adjacent built up areas. It also provides a clear barrier between the edge of the settlement and the adjacent Grade II* listed Orleton Hall and its associated Grade II historic park and gardens. The site is publicly accessible via a public right of way which crosses the site and is clearly visible from public vantage points along Haygate Road and Holyhead Road. Policy OL6 of the Wrekin Local Plan seeks to protect such locally important incidental open land from development. In this instance, it is considered that the loss of this land would have an adverse impact upon the character and amenity of the area, contrary to Policy OL6. This is a further indication of the unacceptability of the proposal.

6.3.3 Residents who have objected to this application believe that there are brownfield sites available that should be developed in preference to greenfield sites on the edge of the urban area and the Council are of a similar view. This view has been set out in the Consultation Version of the Telford & Wrekin Local Plan which indicates that there are many other sites within Telford that have much better sustainability credentials and will be promoted on this basis, in accordance with the NPPF. The application site is not brownfield and is not a preferred site for development.

6.4 Loss of Agricultural Land:

6.4.1 The site is located on land classified partly as Grade 1 and partly as Grade 2 agricultural land within Natural England's Agricultural Land Classification system. This is a key consideration both as a constraint to any allocation in the Local Plan and in terms of the consideration of planning applications. Paragraphs 17 and 112 of the NPPF requires that local planning authorities take into account the benefits of the best and most versatile agricultural land and that areas of poorer quality should be used in preference to areas of higher quality. The release of this site is therefore inconsistent with the NPPF and the application includes no justification for the use of higher quality agricultural land to accommodate the development proposed.

6.5 Impact on Heritage Assets:

6.5.1 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. A Heritage Statement has been submitted with 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.

6.5.2 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 Hall is fairly secluded and views are not readily possible from either Holyhead Road or Haygate Road due to undulations in the land and substantial areas of parkland tree planting and more dense wood plantations. Historic England has confirmed that the proposal would not be likely to impact on the setting of Orleton Hall due to the distance from the site to the Hall and intervening undulating landscape features and screening.

6.5.3 The setting of the parkland is therefore the main consideration in this application. Orleton Hall Park and Garden is included within the Historic England register as Grade II listed and covers an area of some 25 hectares. The parkland was originally designed with the intention to screen views towards the Hall from roads and footpaths in the area.

6.5.4 The applicant concedes that the proposed development will cause some harm to the open character of the registered park and gardens when viewing the area from Haygate Road and Holyhead Road. In order to mitigate against this

harm the applicants have submitted a landscaping scheme as mitigation which includes substantial areas of open space and landscaped buffers. However, this buffer planting will take some considerable time to mature with the consequence that for many years the 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.

- 6.5.5 The application has also been amended to address concerns raised in the initial application ref. TWC/2015/1033 through the provision of an additional 1.23 hectares of green space and landscaping. This includes a significant area of open space at the southern tip of the site which will act as additional buffer between the historic park and the main built up areas within the proposed development. The amended proposal has been inspected by the Council's Conservation Officer who is of the opinion that any gain in open space is relatively minor in the context of the wider scheme and would not outweigh the potential harm to the setting of the park or the wider setting of the hall and associated curtilage.
- 6.5.6 During the short and medium term therefore, the proposals will cause significant harm to the setting of the registered park and gardens at Orleton contrary to Saved Policy HE24 of the Wrekin Local Plan and Core Strategy Policy CS14. The presence of the Cricket Club in the foreground when viewed from Holyhead Road does not unduly affect the historic park and is considered to be a gentle and somewhat pastoral foreground feature before the formal landscape of the registered park begins. The cricket ground should not therefore represent any precedent for the urbanising effects that will be brought about should large scale housing be permitted at this location.
- 6.5.7 Paragraph 133 of the NPPF advises that local planning authorities should refuse consent for proposed development which will lead to substantial harm to or loss of significance of a designated heritage asset, unless it can be demonstrated that the loss is necessary to achieve substantial public benefits which outweigh that harm or loss. In this instance, it is not considered that sufficient information has been provided to justify the harm to the setting of the historic park. In this instance, it is not considered that any public benefit would outweigh the harm to the designated heritage asset. The proposal therefore fails to accord with the requirements of the NPPF in respect of the protection of designated heritage assets.

6.6 Impact upon Landscape Character

- 6.6.1 Paragraph 17 of the NPPF sets out a set of 12 core land-use planning principles which amongst others includes provision to recognise the intrinsic character and beauty of the countryside. 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.

- 6.6.2 The Council's Urban Townscape Officer has inspected the application and subsequent amendments and considers that whilst the application recognises the extent of landscaping issues involved through the provision of additional landscape planting, the proposal does not overcome the fact that it will involve the loss of grade one and two agricultural land and will still compromise the setting of the adjacent heritage assets. There are also no certainties that measures such as increased landscape planting will be sufficient to mitigate the detrimental impact upon the historic landscape and any screen planting will take many years to establish.
- 6.6.3 A further impact will be upon the immediate setting of the approaches into Wellington, an important gateway both to the town and Borough. Holyhead Road is identified as a key transport corridor within the Wrekin Local Plan. From this position, views of the wider site are possible looking across the cricket club to the north. Saved Wrekin Local Plan Policy UD6 requires development which is visible from key transport corridors to relate positively to the corridor route in terms of scale, location, form and materials and should reinforce existing views into and out of the corridor. In this instance, officers consider that the development of the site would significantly transform the character and appearance of the area and would fail to accord with the requirements of Policy UD6.
- 6.6.4 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. Furthermore, they suggest that views from the south are interrupted by the presence of the cricket club which does not compliment the setting of the historic park. Officers do not agree that the cricket club negatively impacts upon views of the countryside beyond and whilst some screening of the site could be provided, large parts of the development would still be visible from surrounding vantage points.
- 6.6.5 In this instance, officers remain concerned that the loss of so much open land on the edge of the settlement would have a significant adverse impact upon the character and appearance of the area, resulting in the loss of the green buffer currently separating the grade ii listed historic park from the edge of the settlement and the loss of the best quality agricultural land. The proposal is therefore contrary to Policies CS12, CS13 and CS14 of the Core Strategy, Saved Policies UD6 and HE24 of the Wrekin Local Plan and the requirements of the NPPF.

6.7 Impact upon Shropshire Hills AONB:

6.7.1 Local residents state that the site would be visible from parts of the Shropshire Hills Area of Outstanding Natural Beauty and Scheduled Ancient Monument of The Wrekin. This point has been considered in the submitted Landscape and Visual Impact Assessment which concludes that any views of the development would form a relatively small part of an expansive and panoramic view from a short section of the public right of way at the top of The Wrekin. From this distance, the development would be seen in the context of modern residential development on the western edge of Wellington. Officers accept that the impact upon the AONB from the development is relatively minor.

6.7.2 Again, officers note the mitigation measures incorporated within the proposal which have been increased to include an additional 1.23 hectares of additional open space and landscaping. This will include a large area of open space at the south of the site, at the closest part of the site to the AONB. However, as noted in para 6.6.4 above, substantial parts of the development will be visible and any landscape planting will take considerable time to establish and mature.

6.8 Highways and Transport Issues:

6.8.1 Significant concerns have been raised within the community that the local highway network cannot cope with the additional traffic from these proposals. The application has been accompanied by a Transport Assessment (TA), which considers the likely impact upon surrounding road network including the impact upon 12 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

6.8.2 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.

6.8.3 The Council's Highway Engineer considers that following the junction improvement works proposed, the additional trips generated by this development could be accommodated by the highways network and the proposal and is not expected to impinge on the safety of highway users or significantly affect the convenience of road users.

6.8.4 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 junction improvements proposed, including 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.

6.8.5 The site is considered to be in a relatively sustainable location within 1.25 km of the town centre. The primary and secondary schools and town facilities are all considered to be within acceptable walking distances. The local bus company Arriva has recently reviewed its timetables and has removed Bus Service No 55 which operated close to the site. As a result, the proposal includes provisions to re-route the existing No. 81 bus service along Haygate Road and the local highway authority has requested a contribution of £10,000 towards bus infrastructure improvements including the provision of two bus stops along Haygate Road if the scheme were to proceed. The applicant has also agreed to the making of a financial contribution towards traffic calming measures along Haygate Road amounting to £20,000. A Travel Plan would be necessary and the applicants have agreed to make a contribution of £5,000 for monitoring of this Plan.

6.9 **Flood Risk and Drainage:**

6.9.1 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 in principle but has requested a number of conditions relating to drainage and the need to incorporate a surface water regulation scheme which could include sustainable urban drainage measures.

6.9.2 The proposal has been amended to incorporate an additional strip of land which will provide an outfall to an existing watercourse to the north west of the site. Presently the agricultural land discharges its water to an existing pond (in the ownership of the Council) which then discharges into the applicant-owner's land. However, no formal outflow from the existing pond currently exists. The proposal will discharge treated and restricted flows into the watercourse, via a culvert, whereby the presence of a formal outfall will reduce the requirement for large underground attenuation tanks to be provided on site. The land concerned is within the control of the applicant/land owner.

6.9.3 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.

6.10 Other Infrastructure Impacts:

6.10.1 Education:

Due consideration has been given to the potential impact upon education facilities within the town and Borough. If the development were to proceed, a financial contribution would be required towards primary and secondary education facilities. The Schools Organisation Specialist has confirmed the required contribution will be £840,691 comprising, £536,916 primary contribution to provide additional places at Wrekin View Primary School and £303,776 Secondary School Contribution towards improvement of facilities at the catchment secondary school, Ercall Wood Technology College.

6.10.2 Open Space and Recreation:

The proposals include provision of 5.84 hectares of green infrastructure including the provision of formal and informal open space, a neighbourhood equipped play area (NEAP), skate park, ball court. This includes an additional 1.23 hectares of additional open space provided as part of amendments to the scheme. 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.

6.10.3 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. This is still subject to negotiation but could be secured as part of the S106 agreement.

6.10.4 Officers accept that there would be no objection on this ground subject to appropriate conditions and section 106 contributions and on-site provision the proposal meets Core Strategy Policy CS11.

6.10.5 Affordable Housing:

The proposal would deliver a total of 25% affordable housing to be delivered on site. This falls below the 40% (CS7) threshold but follows a viability assessment, which has been the subject of external review. This could be secured as part of a S106 agreement or by planning condition if the application were to be approved.

6.11 Other Matters for Consideration:

6.11.1 Urban Design Considerations:

The original Design & Access Statement and the DAS Addendum provide the basis for a design solution which could be developed at the Reserved Matters stage. This would, in officers opinion, represent an appropriate response. However, Members are advised that whilst urban design matters could be satisfactorily addressed through careful design, the landscape impacts as described in Sections 6.3 to 6.6 of this report, coupled with the impacts on the

area's heritage assets combine to make the development of this site an unnecessary visual intrusion into the rural area to the significant detriment of landscape quality. The Council confirms that the site was assessed in the Landscape Sensitivity Study 2009 as not having capacity to provide housing and is therefore inappropriate for development.

6.11.2 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.

6.11.3 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 and there would be little impact on birds. The Planning Ecologist agrees with the recommendations of the ecological assessment and it is therefore concluded that the proposed development would be in accordance with local and national planning policies.

6.11.4 Trees Issues:

The application site includes several veteran/mature trees which are the subject of Tree Preservation Orders. One veteran oak will be removed. Whilst 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.

6.11.5 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.

6.11.6 Noise Implications:

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 quality. Noise is not considered to be a constraint to development, however, 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.

6.11.7 Air Quality Issues:

In relation to air quality, the applicant's submissions 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. There are no issues of concern and appropriate conditions relating to construction management will be appropriate.

6.11.8 Impact upon Residential Amenity:

As the application is outline only, it is not possible to determine the likely impact upon nearby residents, however, the illustrative layout plan submitted with the application does demonstrate that suitable separation distances could be achieved and this could be secured at the reserved matters stage. In order to protect the amenities of nearby residents, any permission granted at this stage would need to impose conditions 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.

6.12 Sustainability of Development

6.12.1 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.

6.12.2 The applicants argue that the provision of 290 dwellings would be of benefit to the local economy providing construction investment and employment in the short term and through the delivery of additional housing and increased spending within the local economy in the longer term. However, as the Council are now able to demonstrate the required five year housing land supply, such housing numbers are no longer required and any benefits in this respect are severely limited.

6.12.3 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 on existing facilities and services. This by itself is insufficient to refuse permission; however other factors described above demonstrate that the site is not sustainable in planning terms.

6.12.4 In the sections above, this report sets out a number of areas where the proposal is considered to result in harm, covering matters such as its impact on the countryside, the unjustified loss of high quality farming land, its short to medium term impact on a listed park and the availability of other brownfield sites which should be promoted in preference to this site. It is considered that the applicant has not provided a convincing case on any of these matters. In

this respect, whilst the application might be seen to be consistent with one aspect of Government policy, there are other more important reasons why the Committee should resist this development.

6.12.5 In this instance, officers consider that the harm resulting from the proposal would significantly and demonstrably outweigh any benefits, which are limited and carry significantly less weight in the planning balance, following the announcement that the Council can now demonstrate a five year supply of deliverable housing land. In this respect, the proposal is not considered to represent a sustainable form of development and fails to accord with the requirements of the NPPF.

7.0 PLANNING OBLIGATIONS

7.1 In the event of the application being approved or any subsequent appeal being allowed, a S106 agreement will need to be signed which would cover the following contributions, subject to final terms being agreed with the Planning Manager. However, the items concerned do not overcome the fundamental flaws in the application.

7.2 Affordable housing provision at 25%, either provided entirely on-site or 23% on site provision together with an off-site financial contribution of £300,000 (currently the subject of discussion and will be updated prior to committee meeting)

7.3 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. A total contribution of £840,691 is required comprising a primary school contribution of £536,916 towards the provision of additional places at Wrekin View Primary School and a secondary school contribution of £303,776 towards improvement of facilities at the catchment secondary school, Erccall Wood Technology College.

7.4 Given that the applicants have committed to provide on-site NEAP facilities and confirmed that a management plan will be submitted to the Council for agreement to long term maintenance, no open space 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. 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 (however, this is currently the subject of further discussion).

7.5 Highway mitigation works are also required from the development towards three road junctions to enable signalisation works, this equates to £410,720. Additional sums of £8,000 for a link to the Shropshire Way, £20,000 for traffic

calming, £10,000 for bus service infrastructure and £5,000 for Travel Plan monitoring.

8.0 CONCLUSION

- 8.1 The foregoing report has identified why this application is wholly incompatible with the development plan. The current Development Plan 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. The proposed development lies outside the urban area of the Borough on a greenfield site which is highly sensitive in terms of landscape and heritage assets.
- 8.2 The Council can now confidently demonstrate that it has an adequate five year housing land supply; consequently, the housing policies contained within the Development Plan are considered relevant and up to date. This is a site that falls within the rural area where Policy CS7 seeks to strictly control growth. Although the development will contribute towards housing growth, officers no longer consider that this factor outweighs the adverse impacts identified in this report.
- 8.3 The proposal will encroach into open countryside at the edge of the Wellington and will result in the loss of the best and most versatile agricultural land without sufficient justification. The proposal will also result in the loss of important incidental open space at the edge of the urban area which would 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. The proposal would have an adverse impact upon the Grade II listed Orleton Park and Gardens, as a result of the proximity of the development to that asset and the infilling of the open land which presently separates the heritage asset from the edge of the settlement.
- 8.4 The development will be visible from two public rights of way including the Shropshire Way and a footpath which crosses the development site and will also be visible from The Wrekin and the Shropshire Hills AONB. Whilst the applicants argue that such impacts could be mitigated through a landscaping scheme, and the plans have been amended to provide an additional 1.23 hectares of landscaping and open space, officers consider that this would take decades to mature during which time, views towards and from the designated assets would be significantly and unacceptably harmed, to the detriment of their value and significance. Any landscaping scheme is also unlikely to screen the development in its entirety.
- 8.5 Clearly the proposed location has sensitivities in terms of the wider landscape context and location close to heritage assets. Given the review of the application in the light of housing supply considerations, it is considered that the proposal should not be supported as there are quite simply better located sites available which will be brought forward in the Telford & Wrekin Local Plan.

- 8.6 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 a suitable use which 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.
- 8.7 In terms of the planning balance, the benefits in terms of housing provision and economic benefits do not outweigh the harm identified in this report. Moreover, the granting of planning permission would be contrary to the provisions of the NPPF as the adverse impacts would significantly and demonstrably outweigh the benefits assessed against the policies in the Framework.

9.0 RECOMMENDATION:

- 9.1 It is recommended that **Outline Planning Permission is refused** for the following reasons:
- 1) The proposal represents unacceptable encroachment into the open countryside and would involve the loss of an extensive area of high quality agricultural land without sufficient justification. Such an impact would result in significant harm to the character and appearance of the area at a key and highly visible approach into Wellington and the Telford built-up area. Any benefits are limited and would be significantly and demonstrably outweighed by the harm identified and the proposal therefore fails to constitute a sustainable form of development. The proposal fails to accord with adopted Core Strategy Policies CS1, CS3, CS7, CS11, CS12, CS13 and CS14, saved Policies UD6, OL6 and HE24 of the Wrekin Local Plan and the requirements of the NPPF, with particular regard to paragraphs 14, 17, 112, 132, 133.
 - 2) The proposal would involve the loss of important incidental open space at the edge of the settlement which plays an important function both in terms of its landscape character and in separating the Grade II listed Orleton Park and Gardens from the edge of the built-up area. The proposed development would therefore result in significant harm to the setting of the listed park together with the character and appearance of the area at a key and highly visible approach into Wellington and the Telford built-up area. Any benefits are limited and would be significantly and demonstrably outweighed by the harm identified and the proposal therefore fails to constitute a sustainable form of development. The proposal fails to accord with adopted Core Strategy Policies CS1, CS3, CS7, CS11, CS12, CS13 and CS14, saved Policies UD6, OL6 and HE24 of the Wrekin Local Plan and the requirements of the NPPF, with particular regard to paragraphs 14, 17, 112, 132, 133.