

TWC/2014/0532

Land adjacent The Croft, Church Road, Lilleshall, Newport, Shropshire
Outline application for the erection of 12no. dwellings and 2no. bungalows

****AMENDED DESCRIPTION AND PLANS RECEIVED****

APPLICANT

M Shanks & Family

RECEIVED

16/06/2014

PARISH

Lilleshall

WARD

Church Aston and Lilleshall

OFFICER Diane Ferriday

BACKGROUND

This is an update to Members of Planning Committee following the announcement that a five year housing land supply exists for the Borough following the receipt and publication of Telford & Wrekin Objectively Assessment Housing Need Peter Brett Associates, March 2015. The consequences of having a five year housing supply are a new material consideration which requires the Local Planning Authority to ask Members to revisit applications which have resolutions to grant subject to signing of a S106 agreement, and to review the original decision in the light of the change in the 5 year supply position.

This proposal is an outline application for the erection of 14 houses with all matters, other than the means of access, reserved for subsequent. The application was considered by the Planning Committee on 4th February 2015 where it was resolved to grant permission subject to a Section 106 agreement.

The original report to the Planning Committee is attached for information and contains details of what the S106 agreement would provide.

NEW CONSULTATION RESPONSES

Following the announcement regarding housing land supply the Council has undertaken a period of consultation with interested parties. All statutory consultees, local residents and any other parties who previously made comments on the application were re-consulted and given the opportunity to make further comments; all new comments received have been summarised as below;

The applicant has written in following the release of the five year housing land supply figure. This is summarised as follows:

- The site is within walking distance of the majority of the village's facilities.
- The proposals (including application TWC/2014/0434) would include eight affordable homes and significant contributions towards highway improvements, play and recreation facilities and education facilities.
- The NPPF seeks to boost significantly the supply of housing and the creation of sustainable, inclusive and mixed communities. It promotes consideration of market housing which facilitates the provision of significant affordable housing. Such provision promotes the retention and development of local services and community facilities in villages.

Government guidance draws attention to the special issues that face rural areas in terms of housing supply and affordability as well as the essential role of housing in supporting broader sustainability of villages.

- The sites are both included in the Council's Proposed Housing and Employment Sites Selection 2014.
- The Council accepts there is a strong demand for affordable housing in Lilleshall and letters of support have been received regarding this issue. In the absence of development proposals such as this there is no realistic prospect of further affordable housing being delivered in Lilleshall.
- The shortfall in affordable housing is recognised in the five years' housing land supply study that also recognises the case for building more than the objectively assessed need for housing where, for example, it is needed to deliver affordable homes.
- The proposal is achievable, viable and deliverable and will deliver affordable homes.
- The proposal would provide a mix of house types and sizes that will be built using traditional materials in a 'Duke of Sutherland' style.
- The Council has accepted that the proposals would not harm the village and would provide sustainable development. The proposals will still not harm the village and the development remains sustainable.

Lilleshall Parish Council: Object to the proposal for the following reasons:

- Land allocation has been incorrectly declared and is exempt from Key Settlement Status
- Existing highway problems will be compounded by service vehicles. Waste vehicles will be unable to reverse into the private road
- The application has focused on the Local Housing Survey rather than the actual demand for additional housing.

Drainage: No objection subject to conditions.

Highways: No further comments.

Parks and Open Space: Affordable housing should not be excluded from the proposed S106 contribution towards open space.

Built Heritage Conservation Officer: No further comments

Arriva: There are current challenges due to the narrow layout of the road during School hours and Church gatherings and a concern has been raised that construction traffic and building contractor parking could potentially make the road impassable. Should this be the case Arriva may have to divert the 481 service away from Lilleshall.

Mark Pritchard MP has reiterated his earlier objections to the application and has added that the release of the five years' housing supply figure reinforces his opinion that this development is unnecessary.

NEIGHBOUR CONSULTATION RESPONSES

Following re-consultation 76 letters of objection have been received. The majority of the comments repeat those submitted previously and are summarised below:

- The proposal is contrary to the development plan. Lilleshall is not a key settlement in the development plan.
- The site is not sustainable or suitable and would result in the destruction of agricultural land, contrary to government and local planning policy. It will also add to flooding problems.
- The presence of a school, post office and cycle route do not make the site sustainable. The cycle route is simply the main road.
- There are no local employment opportunities for new residents.
- The school is oversubscribed and even if only part of the unwanted development around Muxton takes place there will be a total lack of school places in the area.
- It provides nothing to the economic and social role and destroys the natural, built and historic environment
- There is no demand for affordable housing. The smallest of the flats in Lilleshall would still be unaffordable.
- The proposal would impact on the character of the village and Grade 1 listed church with views toward Lilleshall Abbey. It fails to recognise the intrinsic character and beauty of the countryside.
- It would harm the natural environment. Fails to conserve and enhance the natural environment. The site provides habitat for lapwings and skylarks.
- The development will create further traffic dangers with a pinch point where buses pick up passengers. The traffic generation would have a detrimental impact on the village and threaten the bus service that runs through the village.
- Statement by agent in relation to traffic is not correct. The site should be visited during the school run timing or activities at Church/Cricket Club
- There are no local employment opportunities for new residents.
- The proposal is being promoted purely to obtain the maximum financial return and the plans are ill-conceived done by people who don't care for the feelings of residents.
- The Council's five year land supply figure should have been declared when the application came to Planning Committee in February.
- The comments submitted on behalf of the applicant are inaccurate.

PLANNING CONSIDERATIONS

Five year land supply

The context of a lack of a five year housing land supply featured within the Planning Committee report through the representation of Development Plans. Specifically, at the point the comment was made, it was identified that an inability to demonstrate 5 year housing land supply meant policies CS1 (Homes) which identify dwelling requirements for Telford, Newport and the rural area, policy CS3 that states that the majority of new homes will be accommodated within Telford; and CS7 (Rural Area) which seek to direct housing into certain locations in line with the strategy, were not

considered to be up-to-date. This meant that applications could not be refused on the grounds of housing supply alone and there would be a presumption in favour of sustainable development, taking account of paragraph 14 of the NPPF, where applications would be granted unless the adverse impacts of doing so would be significant and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

The proposed development is and always has been contrary to the development plan particularly as Lilleshall is not one of those settlements identified in policy CS7. However, when the planning application was presented to the Planning Committee in February the Council could not demonstrate that it had a five year housing land supply. The policies within the development plan regarding housing numbers and location were regarded as not being up-to-date. This was a significant material consideration that weighed in favour of the application at the time it was presented to the Planning Committee. Officers placed weight instead on the NPPF requirement that councils boost significantly the supply of housing. Officers advised that the absence of a five year housing land supply meant that it would be unreasonable to withhold permission. The Planning Committee resolved to grant planning permission subject to the signing of a Section 106 agreement based on this advice.

Following that Committee meeting the Telford and Wrekin Objectively Assessed Need Report (Peter Brett Associates, March 2015) was received and published. This shows that the council has at least 8.2 years of available housing land supply. As the borough now has more than five years' housing land supply Policy CS7 is up-to-date. Schemes such as this one should be directed to settlements that have better infrastructure including links to employment such as the Telford urban area as set out in Policy CS3

Arriva have raised a new concern about the potential conflict between construction traffic and its bus service. It is a concern that the bus company might divert the 481 bus service from the village during construction. This could easily be addressed by the imposition of a condition requiring the developer to submit a site environmental management plan that would control the loading and unloading of vehicles.

In addition the application site is agricultural land on the eastern fringe of Lilleshall located off Church Road. It is an important open space located on the eastern fringe of the village and provides for views across the site onto open rural land. The proposed development would have a detrimental impact on the character and appearance of the open countryside.

Saved Wrekin Local Plan Policy OL6 (Open land) seeks to protect from development locally important incidental open land within or adjacent to built up areas. In this instance, the application site is open agricultural land that defines the edge of the village; it has views over open countryside and further afield towards Lilleshall Abbey; it provides an outlook from Church Road enjoyed by both local residents and visitors with footpaths out into the open countryside and it is deemed to contribute to the character and appearance of this area of Lilleshall. Development of this scale on this site will result in the loss of this open land that will have a detrimental impact on the character and amenity of the area, contrary to Policy OL6.

The site is relatively flat and forms part of the North Shropshire Plains. As open land it forms a clear demarcation of the open countryside from the village and contributes importantly to the character of the village which has evolved as a relatively long linear settlement bounded by open countryside. The extension of the village at the application site would harm the balance between the built form and the surrounding countryside by bringing a substantial amount of new development away from the village core. The introduction of landscape features such as trees would take decades to become established and a development that proposes housing at a suburban scale clearly does not respect good design principles. The encroachment of built development into the open countryside at the scale proposed would be especially prominent when viewed from prominent landmarks such as Lilleshall Hill. Officers conclude that this development would be contrary to saved Policy OL6 of the Local Plan.

The recommendation is to refuse permission for the following reason:

The Local Planning Authority considers that the proposal is unacceptable as it is outside the settlements of High Ercall, Tibberton and Waters Upton. Furthermore the development would result in an encroachment of built development into the open countryside that, at the scale proposed, would be harmful to the character and appearance of the area. Accordingly, the proposal is contrary to adopted Core Strategy Policies CS1, CS3 and CS7 and saved Policy OL6 of the Wrekin Local Plan.

COUNCILLOR ANDREW EADE HAS REQUESTED THAT THIS APPLICATION IS DETERMINED BY THE PLANNING COMMITTEE.

MAIN ISSUES:

Principle of development, housing need, impact on highways, drainage, amenities, built heritage, ecology and wildlife habitats.

THE PROPOSAL:

By way of background, the original outline submission was for the erection of 12 dwellings and 3 bungalows with all other matters for consideration at Reserved Matters stage. Following an initial standard consultation period there were concerns raised in relation to lack of information, layout, and diversion of footpath.

Subsequently a revised scheme was received for 12 dwellings and 2 bungalows and the means of access to the site included for consideration.

The revised entrance off Church Road is over 20 metres from other existing entrances on the western side of Church Road and be sited towards the south west corner of the site; the existing wall between the south west corner of the site and the existing field gate approximately half way along the site will be taken down and re-built behind the line of visibility splay to retain the character of boundary treatment; between the proposed new access and footpath gate the existing stone wall will be reduced to a height of 0.8m to provide the required visibility splays of 2.4m x 43m; from the new footpath gate to the top northern corner the existing stone wall will be retained in height. A revised indicative layout has removed the terraced dwellings and communal car parking area and has a greater separation distance between the proposed dwellings at the western end of the application site. The layout is a mix of housing types of one storey bungalows, detached and semi-detached with the

smaller properties towards Church Road and the larger houses to the rear of the site and allows an improved line of sight and outlook for the listed cottages, Honeysuckle Cottage and Mill House on Church Road. A public footpath runs through the site from the north west corner to approximately half way along the hedge bounding the south west, this will be diverted a short distance but the majority retained. An existing electricity pole and associated equipment will be removed.

In support of the application a Design & Access Statement, Ecology Survey, Supplementary Planning Document and Supporting Heritage Statement are included.

SITE AND SURROUNDINGS

The application site is currently agricultural land situated on the eastern fringe of the village of Lilleshall; it is located off Church Road between The Croft to the northeast and no. 12 Church Road to the southwest. The site is rectangular shaped bound by a stone wall with hedgerow along the north western boundary which abuts Church Road and slopes away to the southeast to arable fields and grassland beyond. The northern boundary adjacent to The Croft and southern boundary adjacent to no. 12 Church Road are bound by hedging and trees.

On the opposite side of Church Road are residential properties differing in age, design and appearance with stone walling and hedging a feature within the street scene. A bus route runs along Church Road with a bus stop being located outside St. Michael's Church further north of the site.

The local school and village hall are within walking distance being located in the Village along with cricket and tennis facilities.

PLANNING HISTORY:

PE/2104/ 0163 –The LPA could positively consider the principle of residential development within this site in Lilleshall due to the absence of a 5 year land supply and as the site is deemed sustainable.

CONSULTATION RESPONSES:

Lilleshall, Donnington & Muxton Parish: resolved to object for the following reasons:

- The proposed development is on a green field site.
- Enhanced risk of flooding due to a natural soak away being replaced with concrete and tarmac. These have not been addressed.
- Poor infrastructure in that the school is already oversubscribed and there is no shop as stated in the design and access statement and scoring matrix.
- Lilleshall was originally removed from Key Settlement status due to the lack of sustainability but despite nothing changing in the village it has suddenly become sustainable.
- The inward view of the listed buildings opposite would be detrimental.
- There would be severe parking issues along Church Road when the Church is being used for weddings, funerals or community events. The road is narrow and this would exacerbate the problem with current traffic safety issues. Large vehicles such as buses cannot pass each other at present meaning that sometimes one vehicle has to reverse back along the road to a wider point. The entrance has been moved on the amended application but this is now in what is considered to be a more

dangerous location having narrow sloping footpath adjacent to listed buildings. It is the steepest and narrowest part of the road approaching the brow of the hill.

- Plant and Heavy Goods Vehicles during the construction period would cause major traffic and road safety issues. The two listed buildings opposite would be severely affected by the vibration from these vehicles.
- The overhead high voltage cables would have to be moved.
- Are there contingency plans in place to finish the development should the developer become bankrupt or suffer financial difficulties?
- The development would alter the character of Church Road completely and remove two of the nicest meadows from the village and the view over the valley toward the Abbey.
- The whole proposed development has been poorly thought out. There is a considerable problem of the site elevation being higher than the road and the listed buildings opposite.
- The Ecological survey was carried out during a time when most species of wildlife would be hibernating.
- What impact will there be on the two listed buildings opposite the proposed site with the Radon Gas during the removal of the soil from the site?
- No consideration has been given to the accessibility for emergency vehicles such as fire engines and ambulances.
- There are already 28 dwellings either under construction or approved within the centre of the village over the last two years. Also in the Ward of Lilleshall over 250 dwellings are already waiting for approval.
- Out of character with the area as the only terraced houses in Lilleshall are in Stone Row. If granted then Telford & Wrekin Council should insist on changing the terraced into semi-detached dwellings and relocating them on site to where the bungalows are proposed and vice versa. This would lessen the visual impact of the dwellings from the road.
- Enhanced risk of flooding due to a natural soak away being replaced with concrete and tarmac.
- Poor infrastructure in that the school is already oversubscribed and there is no shop as stated in the design and access statement and scoring matrix.

Affordable housing officer:

There is a continuing shortfall of affordable homes in the rural part of the borough. The Design & Access Statement notes (11.1) that affordable housing will be provided on site in accordance with approved policy as appropriate is welcomed. The applicant has proposed 38% based on the latest scheme which is acceptable, subject to appropriate affordable tenures, dwelling types/sizes and internal space standards being agreed.

Type	Number	Internal Floor area m2
Two bed house	2	67-75
Three bed house	1	85-95
2 bed bungalow	2	80

The internal space standards should reflect the Homes and Communities Agency's (HCA) illustrative Level 1 Space Standards, as set out at the consultation stage of the Housing Standards Review. The affordable homes should be integrated within the overall development. The affordable homes should be provided by an

appropriate Registered Provider. An appropriate mechanism is required to ensure that these homes remain as affordable in perpetuity, i.e. a Protected Area Lease. The method of advertising/marketing these homes will need to be agreed between the Council with the respective Registered Provider.

Drainage Section:

There are known flooding issues in Lilleshall at the bottom of Church Hill therefore it is essential that surface water is properly managed. For this reason any soakaway must be designed to be capable of dealing with the 1 in 100+30% event. Details on how this will be achieved should be submitted and should include infiltration tests in line with BRE365 and a drainage layout. Details on the ownership of each soakaway should also be provided. If it is not possible to utilise soakaways on the site details on an alternate method of surface water disposal will be required. As the only obvious point of connection would be the 150mm combined sewer running through the site STW would have to be consulted on allowable rates of discharge. Any flows above this rate must be attenuated within the site boundary and any attenuation feature must be capable of dealing with the 1 in 100+30% event. Details on how this would be achieved should be submitted.

Aboricultural Officer:

If consent is afforded to the proposal the hedges will require protection which could also double as the site hoarding to keep the site secure.

Highways Section:

No objection, conditions required in relation to parking, turning, loading, visibility splays, details of pedestrian crossing on Church Road, details of the proposed repositioned retaining wall situated South West, details of design and construction of any new roads, footways, accesses with details of disposal of surface water. In addition to an informative regarding confirmation that a diversion order is required for the diversion of the public right of way.

Parks and Open Space

It is essential that all new developments make full provision for the infrastructure/amenities and services which they create. New residents to the area will increase demand upon the existing recreational resource. The development will contain a number of properties which will contribute to the need of recreational facilities for the area. There are some nearby play / proposed recreational facilities for children and young people which could be upgraded / enhanced in order to maximise the capacity and meet the need arising out of this development. Suggest that should development (if successful) provide 2 or more bedroom properties; that they meet this need through conditioning of WLP Policies LR4 and LR6; suggest an appropriate sum to request would be £600 per property in relation to this policy and has been previously agreed on past approved applications. This should be provided prior to commencement of development if at all possible. No further comments to add to my original comments with the exception of clarifying that the offsite recreation contribution is required for all dwellings including affordable housing (residents of these types of properties tend to use local facilities more). Therefore, the S106 needs to be amended to include for these dwellings should you be minded to approve.

Shropshire Fire Service: Informative required.

Built Heritage Conservation Officer:

Initial concerns were raised on first consultation relating to the failure to respect the prevailing forms of the local area being in part a 4 part terrace arrangement paired with a large semi-detached arrangement, leaving a total of 7 units located to the road front resulting in overdevelopment in this location but also to be, in form, contrary to the prevailing form and character being terrace and semi and located effectively road front rather than set back in a garden setting. Terraces such as these are a more urbanised flavour than the low density feel in this area. They are very uncharacteristic of the local area, as is the use of semidetached housing to the rear of the development. This serves to water down the historic flavour and settlement character of Lilleshall. This also represents a significant increase in density on the fringes of the village which is inappropriate given the rural fringe setting of this part of the village where the setting should be seen to be “petering” out rather than creating harsh settlement edges. The form of the development is almost of a contrived mini-estate, not a natural evolution of the housing settlement of Lilleshall, with its piecemeal housing. This type of development is inappropriately located. Modern housing designs should be resisted as this would contribute to the further erosion of character already made by inappropriate developments in the 60’s and 70’s. Duke of Sutherland style housing would be supported but it is imperative that scale and massing reflects the traditional, which is a more vernacular scale here. The walls bounding the road front, whilst not of significant historic value are nevertheless significant to the vernacular character of Lille shall and incursions into it should be kept to a minimum. Such walls can be seen throughout Lilleshall and particularly so along the length of Church Rd. Ideally where possible the applicant should seek to provide for their continued preservation through a program of works to repair and strengthen them.

Following the amendments and further consultation the Built Heritage Officer commented that the developer has responded to the comments in regard of scale and massing, layout etc and that the proposals are more appropriate for the location within Lilleshall and has given some consideration to the potential design. The final design will have to be carefully controlled in respect of design and materials at reserved matters stage, this will be a sensitive matter and the developer, whoever that may be, will have to acknowledge this sensitivity. Dwellings should be of a traditional form as per the suggested designs in the design and access document. No objection in principle to the development.

Ecology:

Recommends conditions and informatives following Ecology Survey Report carried out by Pearce Environment (February 2014).

Environmental Health – Contaminated Land: No comment

Education: Given the number and type of dwellings we would seek a contribution towards education facilities in the vicinity of the development.

Neighbour consultation responses

Following two consultation processes following receipt of amended plans, amended description and additional supporting information there is around 250 letters of objection including photographs, 2 petition one with 16 and the other with 400 signatures against the proposal.

The objections are summarised as below;

Principle of Development

- Site is Green Field and against government and development policy.
- The three dimensions to sustainable development are economic, social and environment which this is not.
- Brownfield sites in Telford should be developed instead of plundering fields of Lilleshall.
- Under the Proposed Housing and Employment Site section (part of Shaping Places Local Plan) the site obtains a score of 2. The positive scores were from being close a primary school, beside a highway, and a core cycle route being the positives. This is not a very impressive score especially the highway and the cycle route are effectively one and the same thing. Simply marking cycle route on an existing highway and giving it an extra point for sustainability is nonsense.
- Contravenes Development Plan
- The negative is that it is on good agricultural land but there should be further negative being the destruction of the view (towards Lilleshall Abbey).
- Further housing development in Lilleshall is detrimental to the lives of the existing residents. Building on precious countryside is poor legacy for future generations
- Pushing boundaries and infrastructure of village
- Local people not able to afford the houses
- Development excessive and not required. Amount of development is disproportionate in this small village.
- Neither classed nor excused as "infill". This is wholesale land grab.
- Research for the Village Farm provides all necessary houses required; there is only a need for 2 bungalows. 56 dwellings already built.
- Hope that Councillors listen to the electorate
- Urge members to visit in person.
- Many services in Muxton are being used by Lilleshall residents and this will place them under more pressure.
- No proposed amenities for unwarranted expansion

Sustainability

- Site is not sustainable
- School, Post Office and Cycle Route do not make the site sustainable,
- The cycle route is simply the main road. In a village environment, how does a main road marked on the core cycle route make a site more or less sustainable? This is nonsense.
- The school is oversubscribed and even if only part of the unwanted development around Muxton takes place there will be a total lack of school places in the area.
- Increase in housing of some 19.4% in just this part of the village
- No work for new residents – they will have to travel elsewhere

Amenity

- Impact on privacy
- Vehicles parking at night will illuminate the front rooms of no's 13 and 14 Church Road
- Car owners able to look right into living rooms.
- Placing strain on already overburdened sewerage system; public drains and sewers inadequate, flooding occurs at bottom of Church Road. Croft refused 7 years ago for drainage reasons
- Disregard to worshippers and disruption to Churchyard
- Deep toxic gases found in 1971. Site identified as an area suffering from the leaching of Radon Gas – a serious health hazard to residents.
- Loss of footpath utilized by local people, who will be responsible for the maintenance of the public right of way if diverted
- Development will cause disruption
- No parking or garaging within the site
- Understand from local police that Lilleshall has worst crime record of all areas surrounding Newport and wonder if another condensed housing development like Hill Grange will contribute to the increase in crime.

Traffic

- Amended scheme worse than initial scheme being directly opposite Mill House on narrow stretch of road
- Insufficient parking on site – cars likely to be parked in unsafe manner and cause hazard to road users.
- Opposite private drive
- Increase in housing will exacerbate existing traffic problems that occur on a daily basis in the village.
- Parents park legally and illegally at peak school times when traffic is impossible
- Car parking is a result of regular Church Services made worse by lack of parking in the area, narrow roads and too many cars
- Road not wide enough for bus and car to pass
- Increase noise and pollution from additional traffic
- Problems with access onto Church Road from junction of Rock Acres.
- Village is on national cycle route Number 55 and used by cyclists daily; vehicles emerging from development likely to cause hazards for cyclists.
- Designated car park will overlook listed properties opposite.
- Numerous occasions when Local bus service withdrawn during construction at The Grange
- Arriva have commented that any further development in Lilleshall they will refuse to continue to run the present bus service.
- Response from the Highway Authority is totally inadequate
- Two bottlenecks in village with no ability to widen footpaths or roads.

Impact on setting of Listed Building

- Local heritage is valued by the community and should be protected
- Damage by heavy vehicle to existing Grade 2 Listed Buildings
- The historic stone wall should be preserved.
- Rebuilt wall misrepresentation of what exists

- Church Road provides views over open countryside which should be preserved along with brick wall
- Erecting terraced properties opposite Listed Building is unsympathetic to the character of Lilleshall
- Under NPPF planners must protect and enhance our natural, built, and historic environment
- New properties would completely obliterate the view from the footpath level in front of the church

Character and Appearance

- Erecting row of rear facing terraced and semi's facing Church Road will be ugly and not in keeping with the diversity and character of Lilleshall
- Modern 'dolls house' which will comprise this development will be out of keeping
- Homogenous development will destroy the unique characterful properties along Church Road.
- Out of scale and character with area
- Impact on historic panoramic views towards 12th Century Augustinian Abbey, the Hall and beyond as well as views from Lilleshall Mount.

Wildlife

- There is an abundance of wildlife on site and to say no impact is absurd.
- A one day report on ecology is not reflective of the wildlife that visit throughout the year
- The ecological survey is fundamentally flawed, deficient and fails to fully detail the impacts on protected species and Planning Committee should not rely on it.
- Plot 7 & 8 back onto the Croft boundary wall which will mean part of the traditional orchard will be destroyed. Orchards are protected under section 41 of the Natural Environmental and Rural Communities Act.

In support

- Wish to see affordable housing; young families should be encouraged into Village. All six affordable properties at Hill Grange are occupied.
- People who cannot afford the normal range of property in Lilleshall should have the choice to live here not be told they should live in Newport, or Telford
- Give individuals a property in the village, particularly those who have direct connections with the village and been raised and schooled in the village
- Church Road has pinch points and nothing has changed in years, Motorists need to accept road conditions and drive accordingly
- Suggest access to both sites be by way of access opposite the Vicarage with link road joining the two sites.
- Design and layout of houses in sympathy unlike past development in Village

PLANNING POLICY CONTEXT

National guidance:

National Planning Policy Framework

Core Strategy Policy

CS1 Homes

CS7 Rural Area
CS9 Accessibility and Social Inclusion
CS12 Natural Environment
CS13 Environmental Resources
CS14 Cultural, Historic and Built Environment
CS15 Urban Design

Saved Wrekin Local Plan policies:

H9 Location of New Housing
H10 Scale of New Development
H22 Community Facilities
H23 Affordable Housing
H24 Affordable Housing Rural Exceptions Policy
T22 Planning Obligations
OL6 Open Land
UD2 Design Criteria
UD4 Landscape Design

PLANNING CONSIDERATIONS

Principle of development

The Core Strategy DPD adopted in 2007 addresses the key spatial development issues for the Borough and provides a robust strategic planning policy framework of how the Borough will develop to 2106. Policy CS1 (Homes) of the Core Strategy identifies housing numbers over the plan period for Telford, Newport and the rural area and policy CS7 limits development in the rural area and focuses on the settlements of High Ercall, Tibberton and Waters Upton. New housing will be expected to deliver affordable housing to the level of 40% of such development; outside of these areas development will be limited and in the open countryside strictly controlled.

To boost the supply of housing the National Planning Policy Framework (NPPF) advises that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. It requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. If Local Planning authorities cannot demonstrate a five year supply of deliverable housing sites then relevant policies in regards to the supply of housing cannot be considered up to date and the NPPF advises that development should be granted unless there are any adverse impacts which would significantly and demonstrably outweigh the benefits. It has been established that Telford & Wrekin Council cannot demonstrate a 5 year land supply. In this instance it would not be reasonable for the LPA to refuse the application purely on the grounds of housing supply, and, in accordance with the NPPF, there is a presumption in favour of sustainable development unless it can be demonstrated that there is considerable harm.

Objections have been received on the grounds that the site is not sustainable having limited services, no shop and a village school which is oversubscribed. NPPF advises that sustainable development is about positive growth making economic, environmental and social progress for this and future generations. For instance an economic role can be promoted by developments that contribute to building a strong,

responsive and competitive economy; a social role can be achieved by developments that support strong, vibrant and healthy communities for example, 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 that support its health, social and cultural well-being. An environmental role can be achieved by development that contribute to protecting and enhancing our natural, built and historic environment.

The Council's Investment, Strategy & Partnership Officer has confirmed that there is a continuing shortfall of affordable homes in the rural part of the Borough

Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, making it easier for jobs to be created in cities, towns and villages and improving the conditions in which people live, work, travel and take leisure and widening the choice of high quality homes. It further states that 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.

Development in rural areas can be acceptable if located where it will enhance or maintain the vitality of rural communities and help promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. The site is located on the eastern fringe of the village of Lilleshall opposite established housing along Church Road with further residential off Church Road. It is close to services and facilities that are present in Lilleshall with a local school, church, bus service and sporting facilities. Therefore, whilst rural housing schemes should be limited in scale to meet local needs as set out in the Core Strategy, having regard to the NPPF, the proposed housing can be viewed in terms of supporting and maintaining the vitality of Lilleshall. Accordingly, the site is considered to be sustainable and accessible and accords with the criteria in NPPF regarding housing in the rural area and the provision of affordable housing, and would not conflict with policy CS9 of the Core Strategy.

Local residents are against development on this greenfield site and although the NPPF encourages the use of brownfield land it does not stipulate that brownfield land must be developed before consideration of greenfield sites. The Council's Strategic Housing Land Availability Assessment (SHLAA) in 2012 identified sites with housing potential within the Borough and made an assessment of how deliverable they were with a view to how many dwellings could potentially be built and provided baseline evidence to inform the emerging Local Plan, Shaping Places. This site is identified as site 771 within the document; and assessed as being available and achievable with no known constraint. It is acknowledged that the site's inclusion in the SHLAA carries little weight as a determining factor in the planning application decision making process; however it is an indication that the site is capable of being developed and that it will be material consideration for Shaping Places.

Officers have met with local residents and Cllr Eade and whilst their concerns are acknowledged applications cannot be refused on the grounds of housing supply alone and that there is a presumption in favour of sustainable development. It has to be appreciated that this is an application for residential development within an existing and established settlement and that the principle of development is considered acceptable, subject to other factors to be considered in the planning balance.

Shaping Places Document and Neighbourhood Development Plan

Local residents have raised the question of The Shaping Places document and Neighbourhood Development Plan and the influence this has on decision making. The programme for planning policy began in January 2013 and includes the production of the Shaping Places document which will be the Council's new Local Plan providing the development strategy and policies to help deliver growth till 2031. As the submission for examination and adoption is 2015 -2016 it does not have development plan status. Little weight can be given to Shaping Places in the decision-making process at this time.

Neighbourhood Development Plans

Town and Parish Councils can prepare their own Neighbourhood Development Plans with advice from the Council which gives an opportunity for communities to consider general planning policies for development within their Parish; it gives a voice to where homes should be built and how they look and sets a vision for the future. This plan must conform to national planning policies and development plan policies of Telford & Wrekin. Neighbourhood Development Orders enables the community to grant planning permission for development they want to see go ahead. The order allows homes and offices to be built without the need for developers to apply for separate planning permission. These must also have regard to national planning policies and guidance and strategic policies of Telford & Wrekin. At the time of this report only Madeley, Newport, Ercall Magna, Waters Upton and Stirchley & Brookside Parish and Town Councils have initiated plans for their area.

Access

A high number of objections from local residents have been received following consultation was in regard to highway safety; the narrowness of Church Road, issues with parking with buses and larger vehicles being unable to pass by. There will be a natural increase in construction traffic as noted with the recently constructed development at Hill Farm to the north; and a significant increase at school collection and drop off times as well as people attending church. The Highway Officer takes the view that in some way the narrow road is a natural traffic calming device in its own right. The Highways Officer notes that there are no recorded accidents along Church Road for the last 10 years; there was recently one at the junction of Church Road/Lillyhurst Lane which was due to lack of visibility and the Highway Authority has now secured money to make improvements. There was a suggestion that the applicant provides additional parking at the church; however this would seem unreasonable as the scheme itself has sufficient parking with vehicles being able manoeuvre within the site. The proposal in the view of the local highway authority is acceptable in highway terms and is not deemed to place any significant burden on the existing road network. The Highway Officer has no objection to the proposal subject to conditions and a Section 106 contribution of £200 per dwelling towards

footway improvements from the site to the Primary School and £625 per dwelling towards off site highway improvements of the Church Road and Lilyhurst Road. The proposal is therefore deemed to accord with saved policies UD2 and H24 of the WLP.

Footpath

Concerns have been raised as to the loss of a definitive right of way which presently runs through the site from the north west corner to approximately halfway along the hedge on the south east boundary. To ensure that this footpath will continue to be utilized by the community a diversion is proposed. A suggested route through the site is indicated on the site layout between plots 4 and 5 with a new field gate access on the south east boundary; this diverted route would be no more than 15m from the current route. An informative will be issued to reiterate that a diversion order will need to be obtained prior to any development commencing to avoid legal complications and conflicting with other legislation.

Design

Lilleshall village accommodates a mix of modern and mature housing, some of which are listed. Residential properties along Church Road are mainly detached dwellings varying in age, design and appearance; opposite the site is a pair of listed semi-detached cottages. The majority of these properties are set back from the highway and bound by stone walls and hedging, a prominent feature within the street scene as is the application site. This is an outline application where the siting, layout and design of the dwellings will be considered at Reserved Matters stage; however indicative plans show that the site can accommodate a total of 14 dwellings set back from the highway with adequate amenity space. Suggested elevation treatment is included in the Supplementary Planning Statement and Design & Access Statement where it states that details from the Duke of Sutherland style will be incorporated in to the design of the dwellings including Circa 40 to 45 degree roof pitch on the houses and circa 30 degrees on the bungalows, principally brick elevations, plain clay roof tiles, a chimney per dwelling and possibly two on the larger houses, visible protruding purlins, corbelled eaves, brick "eyebrow" detail above windows, gables particularly along the frontage to Church Road, dormer windows to minimise the ridge height particularly on the dwellings closest to Church Road, potential for a timber framed covered entrance porch, bay window features and tall single casement windows set deep within prominent sills; this Duke of Sutherland style housing would be supported in principle. There are concerns regarding the loss of the wall along the front of the site which is an important characteristic along Church Road. The scheme will involve elements of removal, reduction and relocation. As the wall is considered an important characteristic feature within the street scene conditions will be used to retain and preserve the wall where possible. The proposed development is therefore deemed to accord with policy CS15 of the Core Strategy and 'saved' policy UD2 of the WLP.

Impact on Amenity

Residential properties potentially affected by the proposed development are those opposite along Church Road; The Croft to the north and no. 12 Church Road to the south. The Croft will not directly overlook the site due to its orientation and is well screened via established hedging/trees along the shared boundary to the north of the application site. Established hedging provides screening for no. 12 Church Road.

The properties along Church Road will directly overlook the development; however some of these properties are set back from the highway and have some natural screening from hedging and shrubs within their front gardens. The listed cottages of no. 13 and 14 Church Road abut the highway. To address the impact on the amenities of these properties the indicative layout proposes a layout that gives an improved line of sight; the smaller properties will be towards Church Road and the larger houses to the rear of the site. The design of the dwellings will be further considered at Reserved Matters stage in relation to scale, roof heights, boundary treatment and windows to address any impact on amenity. It is therefore considered the impact on the amenities nearby residential properties is not adversely significant due to distance separation and screening.

Drainage

The site is not within the flood risk area as designated on the Environment Agency flood maps. However concerns have been raised with regard to flooding therefore the Local Planning Authority has sought further guidance in this respect from the Council's Drainage Engineers who note that there are known flooding issues in Lilleshall at the bottom of Church Hill. However they have not raised an objection to the proposal and the management of surface water will therefore be mitigated though appropriate conditions.

Impact on Trees/hedging

The Council's Arboricultuist has noted the existing hedging bounding the site. This hedging will require protecting which can be mitigated through appropriate conditions. New hedging is proposed to the rear of the site to give it definition from the adjacent land.

Ecology

The concerns expressed by residents with regard to ecological matters are noted. As part of the submission an Ecological Survey Report and supporting documents carried out by Pearce Environment (Feb 2014) were received. The report stated that the site comprises semi-improved grassland, a dry stone wall, hedges dominated by hawthorn and trees which are outside of the proposed development boundary and concluded that they were no habitats of principle importance present on the site. The small additional piece of land was surveyed by Pearce Environment in August 2014 and identified as containing semi-improved grassland, former orchard (without any fruit trees remaining), hazel and leylandii trees with a hedgerow of holly, privet and hawthorn and areas of scrub. There are no habitats of principle importance present on the site and no evidence of badger setts or tracks on the site or within the former orchard area according to Pearce Environment. The survey recorded no trees or buildings with bat roosting potential on the site although there is potential for bats to be foraging and commuting in the wider environment and therefore recommend that 2 integrated bat boxes be provided within the new dwellings on the site and that lighting on the site will need to be carefully controlled to limit impacts upon foraging and commuting bats. Vegetation on the site has potential for nesting wild birds to be present and should be removed outside of the bird nesting season. Enhancements of the site should be provided as recommended by Pearce Environment in the form of 2 sparrow terrace bird boxes, 2 bird boxes suitable for small birds and a native species hedgerow along the south east site boundary as shown on the indicative site layout plan. A single pond was identified 174m from the site, the pond was assessed

as having a Habitat Suitability since it appears to be very large, stocked with fish and have a large population of Canada goose present, it was concluded that there is little potential for great crested newts to be present and that further survey work for the species is not required. The application was considered under the Habitat Regulation Assessment process where the report and supporting documents were assessed by the Council's Ecologist Officer who raises no objection subject to appropriate conditions and informatives regarding the erection of artificial nesting/roosting boxes, the submission of a lighting plan and undertaking of a pre-commencement landscaping scheme.

By considering the above it is concluded that all ecological matters can be sufficiently addressed by conditions and informatives and therefore complies with policies CS12 of the Core Strategy and OL11 of the Wrekin Local Plan and guidance in the NPPF which seeks to prevent development that will adversely affect landscape and wildlife.

Other Constraints and Issues

The site is within a coal mining area but does not have legacy issues that are a risk to the surface and can be dealt with via an informative note within the decision. .

There have been a large number of objections received on this application and many issues raised; this report has considered these and due to the number received has focused on addressing those that relate to material planning considerations.

Planning Obligations

The scale and nature of the proposed development requires contributions towards highways, as well as provision of a proportion of affordable housing, in order to accord with planning policies H22, and T22 of the Wrekin Local Plan in providing necessary community benefits.

The Applicant has agreed to provide a financial contribution of;

£875 per dwelling towards highways infrastructure being £200 per dwelling towards footway improvements from the site to the Primary School and £625 per dwelling towards off site highway improvements of the Church Road and Lilyhurst Road Junction.

£2108 per non affordable dwelling towards Education facilities

£600 per dwelling towards the provision, maintenance or enhancement of play equipment or recreation facilities

These figures have been agreed by relevant internal departments.

With regards to affordable housing it is noted that the Housing officer has agreed to a provision of 38% affordable housing consisting of 4 shared ownership and 1 social rented that would be made up of 2 two bedroom houses, 1 three bedroom house and 2 two bedroom bungalow.

It is considered that the provision of affordable housing and financial contributions towards highways, recreation and education are acceptable and accords with policy.

Conclusion

The application has resulted in a large number of objections from local residents and their concerns have been considered and addressed within this report; however the principle of development is considered acceptable in this location and the layout demonstrates that the development can be accommodated without significant impact on nearby residential amenity, the character of the surrounding area, highway safety or the natural environment. Accordingly, the proposal is considered to comply with

the relevant national and local planning policies and the application is recommended for approval subject to financial contributions, affordable housing provision and appropriate conditions.

RECOMMENDATION: delegate to the Development Management Service Delivery Managers, to GRANT OUTLINE CONSENT subject to the following:

The Applicant entering in to a Section 106 Agreement with the Council relating to:

- i. Provision of off-site affordable housing constituting 36% of total number of units
- ii. A contribution of £875 per unit towards Highways Improvements
- iii. A contribution of £ 600 per unit towards play/recreation facilities
- iv. A contribution of £2108 per non affordable unit towards Education facilities

Conditions

1. A01 Time Limit – Outline
2. B002 Standard Outline – Some Matters Reserved
3. B003 General Details Required
4. B041 Visibility Splays (2.4m x 43m)
5. B042 Parking, Turning, Loading, Unloading
6. BCus highway Custom – pedestrian crossing on Church Road
7. BCus highway Custom -pedestrian footway along the site frontage
8. BCus highway Custom – details of design and construction of new roads, footways, accesses, and dispersal surface water.
9. BCus Retention/materials of wall
10. B150 Site Environmental Management Plan
11. B061 Foul & Surface Water Scheme
12. B064/65 Soakaway Test/Locations
13. B121 Landscape Plan
14. C73/74 Tree/Hedge Protection
15. C100 Erection Artificial Nesting/Roosting Boxes
16. C109 Lighting Plan
17. C38 Development in Accordance with Plans

Informatives

S106 Agreement

Highways

Ecology Nesting Wild Birds

Shropshire Fire Authority

Broadband

Registered Provider