

TWC/2011/0871

Land to the East and West of Station Road, Newport, Shropshire, Erection for up to 350 no. dwellings (Use Class C3); extra care housing (Use Class C2); 4.5ha of employment land (Use Classes B1, B2 and B8); public open space and landscaping provision including sports pitch and landscaped park; demolition of existing industrial buildings; highway works and associated infrastructure development (Outline to include Access)\*\*\*AMENDED DESCRIPTION, AMENDED PLANS AND SUPPORTING DOCUMENTS & REVISED ENVIRONMENTAL STATEMENT\*\*\*

**APPLICANT**

Davidsons Dev. Ltd & St Modwen Dev. Ltd,

**RECEIVED**

04/11/2013

**PARISH**

Chetwynd Aston and Woodcote, Church Aston, Newport

**WARD**

Church Aston and Lilleshall, Newport South, Newport South and East

**OFFICER** Kate Stephens

**BACKGROUND:**

This is an update to Members of Planning Committee following the announcement that a five year housing land supply exists for the Borough, evidenced in the Telford and Wrekin Five Year Housing Land Supply Statement 2014-2019 published on 20<sup>th</sup> March 2015 and following the receipt and publication of Telford & Wrekin Objectively Assessed Housing Need report by Peter Brett Associates earlier in March 2015.

The consequence of having a five year housing supply is a new material consideration that requires the Local Planning Authority to ask Members to revisit applications which have resolutions to grant planning permission subject to the signing of a S106 legal agreement, and to review the original decision in the light of the change in the five year supply position.

This proposal is an outline application for the erection of a mixed use development on 28ha including up to 350 dwellings, extra care housing, 4.5ha of employment land (Use Classes B1, B2 and B8), formation of new roundabout accesses and open space and landscaping provision including a sports pitch and a landscaped park on land east and west of Station Road, Newport.

The application was considered by the Planning Committee on 11<sup>th</sup> December 2013 where it was resolved to grant planning permission subject to conditions and a Section 106 agreement, providing financial contribution towards £820,596 for off-site highway infrastructure works; £10,000 for public transport infrastructure; £7,500 for Public Rights of Way; £360,000 for public transport service enhancements; £10,000 for Travel Plan monitoring (comprising £5,000 for C class uses + £5,000 for B class uses); commuted maintenance sum for the Station Road PUFFIN crossing to be confirmed; a sum to be agreed for Public Art (to the value of £100,000); up to £862,592.50 towards primary and secondary education facilities (i.e. £2,464.55 per dwelling); open space/landscape maintenance sums to be agreed depending if land to be transferred to the Council; S106 Monitoring fees and 35% affordable housing.

The original report to the Planning Committee is attached below for information.

#### 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;

Environment Agency - no further comments

For completeness, we previously formally commented on the above application on 2 December 2013 (our letter reference SV/2014/107403/01-L01). Further to your Council's identification of a 5 year housing land supply, it does not appear that any additional has been submitted by the applicant at this time and we would therefore re-iterate our previous comments, including recommended conditions.

Natural England - no further comments

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 4 December 2013. Natural England has no further comments to make regarding this application.

Severn Trent Water - no objection

We have no objections to the proposals subject to the inclusion of the following condition 'The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or creating or exacerbating a flooding problem and to minimise the risk of pollution.'

Shropshire Fire Service

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications"

TWC Drainage - support subject to conditions

Condition - Submit a scheme of foul and surface water drainage.

Condition - Any drainage system must comply with the FRA and Drainage Statement produced for this site with greenfield rate, and any areas designated as brownfield should demonstrate a 30% reduction on existing runoff rates, and any attenuation should deal with 1 in 100 year (+30%) storm event.

Condition - Submit details on the existing levels of groundwater on the site and how they will be mitigated, as there are known issues with high groundwater levels on site which may affect the proposed SUDS features.

Condition - Submit an exceedance flow routing plan for flows above the 1 in 100+30% event. Flow routes through gardens and other areas in private ownership will not be permitted.

Condition - Submit a SUDS management plan to include details on future management responsibilities and maintenance schedules.

Condition - Submit additional modelling allowance set to address future urban creep as set out in Table 14 in TWC Local Flood Risk Management Strategy.

Condition - Submit details for surface water treatment.

Condition - Submit any details on the proposed improvement SEWER NETWORK?? works and evidence that they have been completed prior to the connection of any proposed drainage system.

Condition - Submit details of a new development in Richmond Close will affect the proposals, and any alternate points of connection to public sewer are required.

Condition - Once detailed designs are available submit calculations to show that the development will have no adverse effect on Millwood Mere.

Condition - Submit details of the location and condition of the sewer in Wallshead Way and easements will need to be included.

Condition - Submit details of the future ownership and maintenance of the proposed pumping station to serve the west parcel.

Condition - submit details of how surface water flows will be dealt with during the construction.

TWC Contaminated Land (Environmental Health) - support subject to conditions

- The desk study submitted in support of the application concludes that further intrusive investigation works are required to assess the site, as various sources of potential contamination have been identified.
- If officers are minded to approve the application suitable conditions should be applied to ensure that the site is suitable for its intended use.
- Recommended conditions have been included in the response from Iain Wheeler from this department previously. NB - conditions were previously included.

TWC Pollution Control (Environmental Health) - support subject to conditions

- The two documents relating to noise assessment for this application seem incomplete. The first details the noise assessment and the second provides the outputs of the noise model and suggested scheme for mitigation.
- The type of mitigation is not fully detailed i.e. it details a certain glazing and ventilation requirement at the different boundaries but doesn't supply a key as to the technical specification and therefore the performance of the mitigation.
- The report also does not detail the relevant standards to be achieved hence the report being incomplete.
- At present I am not be able to comment on noise grounds other than if you are minded to approve the application I would recommend a condition is applied for a full noise assessment and plan for mitigation be submitted to the approval of the LPA.
- Would also advise that a suitable condition be applied requiring a construction environmental plan be submitted to the satisfaction of the LPA. NB - conditions were previously included.

Newport Town Council - comment

- Members agreed that the previous comments made on this application were still pertinent and would re-iterate the comments.
- Members did however discuss the wider implication of each of these large scale developments in Newport, and considered that should the LPA be minded to overturn or reduce the scale of housing on any of the Application sites, there is a

need for consideration of exchanging land to provide more recreational provision, a football pitch, business site and employment provision.

- There is an overriding requirement for cemetery land if the local authority is to carry out its statutory obligation in such matters beyond the next 3 years.
- Members were also disappointed that the bus barrier on Audley Avenue was to be removed.

#### Church Aston Parish Council - object

- The Parish Council has previously submitted (28/11/2013) its objections to the amended outline application and made verbal representation to the Planning Committee on 11/12/2013 suggesting that, contrary to the applicant's Planning Statement, we believed the Council did have sufficient housing land identified to more than satisfy demand over the next 5 years.
- We wish to re-iterate these objections in light of the Council's publication (20/03/2015) of a revised 5 year Housing Land Supply Statement, based on a re-assessment of the Borough's Objective Assessment of (Housing) Need up to 2031, which, contrary to the Planning Officer's report to Planning Committee, confirms that the Council's planning housing target policies (Core Strategy and saved Wrekin Local Plan policies) are up to date and should still be applied when considering this application.

In summary these objections are:

1. The building of 350 houses at Station Rd is superfluous to meeting local housing needs both within the timescale of the existing Development Plan (2016) and beyond it and so this application is contrary to existing Local Development Plan Policy CS6 (to meet the local needs of natural population growth and household formation).
2. The estimated requirement for affordable housing for social rent in Newport is not achievable on the back of private sector development (requiring 35% affordable), and therefore should not be used as the basis for determining future housing targets and housing land requirements.
3. As there is no approved Local Development Plan in place beyond 2016, any decision made now on the Station Rd major strategic site is premature, given that the indicative phasing of the housing development extends to 2026 and the applicant's original supporting Planning Statement (October 2011) acknowledged that the Station Rd proposals represent a departure from the adopted (and still valid) Development Plan.
4. It is critical that this proposed major urban extension to the west and east of Station Rd is considered alongside the other approved and proposed housing sites given the significant cumulative impact (a 25%+ increase in Newport's population) they will have on the local infrastructure.
5. The loss of important informal open space between Newport and Church Aston should be resisted in line with current CS Policy OL6 (to protect locally important incidental open land within or adjacent to built up areas where it contributes to the character and amenity of the area).
6. We would support the creation of additional employment opportunities as part of an extended industrial/commercial area around Audley Avenue, to the east of Station Rd, but not the loss of the Enterprise Park to housing.

We concluded that:

1. We believe there is no articulated and proven need to build additional housing on greenfield land outside the existing settlement boundary in Newport, only a demand

from those developers (and potentially the Council through the New Homes Bonus) wishing to profit from it.

2. The applicants' expressed desire to meet an unproven local 'need' for family (and affordable) housing by building a major urban extension of 350 houses off Station Rd on greenfield land, is an insufficient reason to approve this outline planning application, particularly as there is already a more than sufficient deliverable 5 year housing land supply identified within the Borough.

The identified benefits outlined in the applicant's supporting Planning Statement are completely outweighed by the adverse impact it will have on both Newport and Church Aston.

3. The amended outline application does not meet the needs of the local community, nor enhance and protect the local environment, and is therefore contrary to current Development Plan policy. It will generate more, not fewer, car journeys, lead to a significant loss of well used and valued informal open space of which there is a recognised shortage in the area, and severely overload the local social and drainage infrastructure. As such, it does not deliver 'sustainable development' in line with local and national planning policy guidelines, only 'speculative development' for the profit of landowners and developers.

4. The outline application for Station Rd should either be rejected or at least deferred until a Local Plan and Land Allocation DPD have been democratically consulted on and approved by an Inspector for the period beyond 2016.

We believe these objections and conclusion remain valid in that:

- The Council does have more than a 5 year housing land supply (398 homes identified to be built in Newport 2014-19), Appendix 1, Telford & Wrekin 5 Year Housing Land Supply Statement, March 2015) – this does not include a further 85 off Edgmond Rd (TWC/2013/0297) and 110 at Mere Park (TWC/2014/XXXX) both currently under construction.
- It has been confirmed that the current Development Plan remains extant (Minutes, Planning Committee 17/12/2014);
- There is still no Local Development Plan approved for the period beyond 2016 (Draft for consultation to be considered by Council Cabinet, 25/06/2015);
- There remains a significant shortfall of natural/semi natural green space in Newport (PBA/Roger Tym, Newport Open Space Provision Review, December 2012).

In addition, we would make the following comments regarding the applicant agent's letter of 15/5/2015 in response to being notified by the Council that their client's application was to be reconsidered by Planning Committee:

1. Notwithstanding the fact that the proposed development is contrary to current Development Plan policy and is not required to meet local housing needs, we believe that the application does not represent 'sustainable development' and that the adverse impacts caused by the loss of this (another) greenfield site far outweigh any stated benefits.

2. The applicant states, with regard to the proposed development's economic role, that a further 350 homes will 'improve choice and competition in the market place (and) meet housing needs' ..... 'will ensure that housing land of the right types (sic) is provided at the right time and place', and will generate an additional 800+ people, spending £9m+p.a. in the local economy. We would argue there is already sufficient choice and competition from the c600 homes that will be built over the period to 2019 to meet forecast local needs. Any additional housing will serve to encourage in-migration from outside the Borough which is contrary to the Inspector's Report on the

Core Strategy DPD Examination (2007) which states that 'it is manifestly not part of the Core Strategy to stimulate in-migration from the Metropolitan Urban Areas of Newport or the rural area, but to focus growth upon Telford'. In turn, the impact of a further 800+ people on the local physical and social infrastructure, would far outweigh the economic benefits of this additional expenditure, particularly when much of this is unlikely to benefit Newport given the expected level of out-commuting to work that will inevitably occur. Also, the applicant's reminder that the development will be of direct financial 'benefit to the Council through the New Homes Bonus' should be disregarded as this should not be considered when determining this planning application.

3. The applicant also states that the proposed development 'will provide an extension to the existing community to the east of Newport and assist in sustaining and enhancing local services...'. We believe that converse to be true, that local services/infrastructure will be unable to cope with increased demand/usage and the quality of life locally will suffer. We also concur with the reasons given by Planning Committee (17/12/2014) regarding the refusal of a proposed development at Muxton (TWC/2014/0612) where it was considered that 'it would result in an undesirable encroachment into the surrounding countryside and be detrimental to visual amenity by reducing the visual and physical separation and openness between the two settlements (in this case Telford and Lilleshall) and result in their undesirable coalescence that would cause irreversible, significant and demonstrable harm'.. We would draw a direct parallel as regards Newport and Church Aston.

4. The reference to the location of the extra-care facility, which we believe may be replaced by additional housing in some future amendment to the overall scheme (as at the Taylor Woodrow development Mere Park) , indicates that it will be 'close to the Station Rd entrance to the site and the superstore!' This would suggest that the applicant's agent is not au fait with the latest development proposal TWC/2015/0057) which seeks to build yet more housing on the former superstore site.

5. Whilst the applicant again acknowledges that the proposed development would result in the loss of a greenfield site, the site is not considered to be of high ecological and nature conservation value, and there will be 'minimal impact on biodiversity within the site' and 'any adverse impacts can be appropriately mitigated'. This completely ignores the important health and well being value of this much used area as attested to at the Village Green Inquiry in 2012 and the proven lack of natural/semi-natural open green space in/on the periphery of Newport.

6. The applicant refers to the emerging Shaping Places (Local Development Plan) and the consultation on the Proposed Housing & Employment Sites Document (May/June 2014), on which the Council has provided no feedback despite indicating that they would do so, and states that the Station Rd site was shown as an existing commitment given its outline approval at Planning Committee (11/12/2013). On this basis the applicant now suggests that this should be taken into account as a 'material consideration', as it has already been determined by the Council to be an appropriate location for a mixed use development. However, the reason this application is now to be re-considered by a newly constituted Planning Committee is because it was misled in the Planning Officer's report into believing that the Council no longer had a 5 year housing land supply and that this was 'a significant factor in determining this application'. Therefore we do not believe that the previous decision to approve can be treated as a material consideration when Planning Committee re-considers this application.

Chetwynd Aston and Woodcote Parish Council - object

- It is on a greenfield site (see reason given for refusing a development at Mere Park) and there is insufficient infrastructure to cope with a development of this size.
- This development would ruin the character of this Parish.

PUBLIC CONSULTATIONS:

Newport & District Civic Society - object

- We confirm that the objections contained in our email of 12/12/2011 and subsequent correspondence still apply.
- We would also ask that the following points are brought to the attention of Plans Committee when it reconsiders the outline planning approval previously granted:-
  - as a 5 Year Housing Land Supply in now in place, the provisions of the Core Strategy 2007 can now be applied and the status given to areas of the land off Station Rd as confirmed by the Court of Appeal in April 2014, should now be applied by officers.
  - because the Council does now have sufficient land for housing to meet forecast housing needs over the next 5 years (to 2019), then any decision made now by Planning Committee would be premature, and that the particular site should now be considered as a potential development site only as part of the forthcoming new Local Development Plan (Shaping Places), for which a draft for consultation, outlining proposed development sites over the period to 2031, is to be considered by T&W Cabinet on 25 June 2015 and published for public consultation before the end June 2015;
  - many of the supporting technical documents for the application are out of date, so they need to be represented to Plans Committee in an updated form to take account of changes since they were first produced in 2011/2012 not least of which will be the information in the draft Local Plan referenced above.
  - the whole process has the appearance of a smoke screen and we believe the main aim is to make the applicants safe from any future legal challenge as suggested in the letters issued by T&WC to the various applicants in April 2015.
  - We urge the Plans Committee to reject the application.

Save Newport Campaign - object

- We confirm that the objections contained in our email of 10 October 2011 and subsequent correspondence, still apply.
- The application as referenced in 2011, contained the proposed Sainsbury's superstore - are the Plans Committee being asked to endorse this as part of its reconsideration on 24 June 2015?
- We would also ask that the following points are brought to the attention of Plans Committee when it reconsiders the outline planning approval previously granted :-
  - because the Council does now have sufficient land for housing to meet forecast housing needs over the next 5 years (to 2019), then any decision made now by Planning Committee would be premature, and that the particular site should now be considered as a potential development site only as part of the forthcoming new Local

- Development Plan (Shaping Places), for which a draft for consultation, outlining proposed development sites over the period to 2031, is to be considered by T&W Cabinet on 25 June 2015 and published for public consultation before the end June 2015;
- many of the supporting technical documents for the application are out of date. They need to be represented to Plans Committee in an updated form to take account of changes since they were first produced in 2011/2012 not least of which will be the information in the draft Local Plan referenced above.
- the whole process has the appearance of a smoke screen and we believe the main aim is to make the applicants safe from any future legal challenge as suggested in the letters issued by T&WC to the various applicants in April 2015.
- We urge the Plans Committee to reject the application.

Mark Pritchard MP - object

- Much of the site would involve greenfield land - brownfield land should be developed first.
- The development is significantly large to alter the character of this traditional market town.
- The proposal would remove the green space between Church Aston and Newport and between Chetwynd Aston and Newport and alter the character of these two parishes.
- Infrastructure will suffer, especially doctors surgeries, as an extra 350 houses (1000 plus people) will stretch services.
- Proposed housing is superfluous to need - the five year housing supply indicates there is already enough so under the NPPF surely this means the land is redundant for housing.

48 letters/emails of objection summarised below as follows:-

- Council has now identified it has enough housing land supply to fulfil the borough's needs for the next 5 years, so this proposal exceeds the number of houses identified for Newport and is no longer needed.
- A 'significant factor' in the original decision to approve was the Council's then lack of a 5 Year Housing Land Supply, thus rendering the Council's planning and housing policies out of date and so the presumption in favour of sustainable development should apply.
- Now the Council does have a 5 year housing land supply, its planning and housing policies enshrined in the existing Development Plan should also be treated as a 'significant factor' when reconsidering this application.
- Now need to critically re-examine whether this is 'sustainable development'.
- Development of this site should now only be considered as part of the Shaping Places local plan - failing to do so would be premature.
- Previous committee report gave false information about the housing land supply.
- Newport is being overwhelmed with new development - it needs time to adjust.
- Since application heard, the supermarket has been withdrawn, so need new and updated technical documentation.
- Don't object to the part of the scheme on the brownfield land, but object to developing on the greenfield land.

- Infrastructure can't cope with all the new development in Newport - schools, doctors, drainage, flooding, sewerage, roads are under strain.
- Ecology, wildlife and footpaths will be lost.
- More housing with not enough jobs/employment will result in out-commuting and the associated increase in traffic and congestion.
- Result in loss of important open space, which is also a buffer between the adjacent parishes.
- Keep land as open space or as a country park with a lake and ducks for family recreation.
- Newport's green approaches are already being spoiled and built on - save this one.

The Agent (RPS) for the applicant in support of the application:

- The proposal is for a mixed use development on 28ha including up to 350 dwellings, extra care housing, 4.5ha of employment land (Use Classes B1, B2 and B8), open space and landscaping provision including a sports pitch and a landscaped park at land off Station Road, Newport.
- 3.5ha of the application site was designated in the Wrekin Local Plan under Policy E2 and the Local Plan Proposals Map as an employment site to the west of the existing Audley Avenue Industrial Estate.
- The proposals will ensure delivery of the 4.5 hectares of new employment land incorporating part of the Local Plan allocation.
- The National Planning Policy Framework (NPPF) aims to boost significantly the supply of housing, which is to be a material consideration in the determination of planning applications. Paragraph 49 of the NPPF states that *"housing applications should be considered in the context of the presumption in favour of sustainable development."*
- Whilst RPS offers no views at this stage of the Council's claim that it now has a five year housing land supply, under the terms of the NPPF a presumption in favour of sustainable development exists. This is irrespective of whether TWC has a five year supply or not.
- Land to the East and West of Station Road was approved consent at Planning Committee, and was considered by the Planning Officers in respect of the proposals' sustainability, in accordance with relevant policies within the NPPF, saved policies in the Wrekin Local Plan, adopted Core Strategy and the emerging Shaping Places DPD.
- The documents previously submitted to support the planning application have demonstrated that the proposed development is sustainable development and will bring significant benefits in terms of housing provision to the Town, and that any adverse impacts caused by the loss of a greenfield site would not significantly and demonstrably outweigh these benefits.

Sustainable Development

- The NPPF Paragraph 7 states that there are three dimensions to sustainable development:  
*"an economic role: contributing to building a strong, responsive competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*

*a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*

*an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*

#### Benefits of the Proposed Development

- It is necessary to consider whether the proposed development would give rise to any adverse impacts which would demonstrably and significantly outweigh the benefits identified in the context of the presumption in favour of sustainable development. As set out below, the development would deliver significant benefits to Newport supporting each of the three dimensions to sustainable development which would not be outweighed by any negative impacts.

#### Economic Role

- The proposal for up to 350 dwellings will support Newport’s role as a market town, providing a choice of housing and affordable housing to improve choice and competition in the market place, meet housing needs and support growth. The development will assist in ensuring that housing land of the right types is provided at the right time and place. The delivery of 350 new homes will also benefit TWC through the New Homes Bonus.
- Based on the average household size of 2.3 people per dwelling from the 2011 Census, the development will generate in the region of 805 persons. By improving the spending power in Newport this will have some benefits in improving business conditions for local businesses and the wider area.
- The Office for National Statistics Family Spend Survey gives information on average spends per week. Using the December 2014 edition, the average retail spend per dwelling of £517 per week would provide an additional £9.41m of spending power per annum from the proposals. Whilst not all of this would be spent in Newport a significant proportion would be.
- The reasoned justification for the Wrekin Local Plan employment allocation of 3.5ha in the eastern parcel of land indicates that approximately 300 new jobs would be generated. The development is to include an employment area of 4.5 hectares, providing a mix of B1/B2 and B8 uses, generating a greater level of employment than proposed in the Wrekin Local Plan.
- The location of the employment land in this part of the site allows it to integrate well with the adjacent Audley Avenue Industrial Estate, with which it is connected via a secondary access directly onto Audley Avenue. Indicatively, this will include land for the provision of the following:
  - Larger industrial/distribution premises: 12,000 sqm (130,000sqft) on 3ha;
  - Smaller industrial estate premises: 4,000 sqm (43,000sqft) on 1ha; and
  - Offices: 2,000 sqm (21,500sqft) on 0.5ha.
- The outline application also involves the redevelopment of land at the Audley Avenue Enterprise Park for housing and open space provisions, as the buildings

within the Enterprise Park were largely built in the 1960's and are coming to the end of their economic life.

- A large number of employment opportunities will also be created through the construction of the development, in both FTE employment and potential apprentice positions.
- The development will provide an extension to the existing community to the east of Newport and assist in sustaining and enhancing local services due to the number of new residents in the area, and the provision of new business premises, recreational areas and specific extra care accommodation which will assist in sustaining Newport's role in the County area strengthening the Town economically.

#### Social Role

- New developments are to be located close to services and facilities, be accessible by public transport, walking and cycling, and improve social cohesion through enhancing access to homes, employment, recreation and other facilities, as the Core Strategy and emerging Shaping Places DPD indicate. In accordance with policy requirements, the proposed development will improve social cohesion by providing a mixed use development which will include a range of facilities to serve the local community within the new development and the surrounding area.
- Access into the western parcel of the development site will be via a new roundabout junction with Station Road and a bus priority/emergency route from the A518. There will be two access points into the eastern section of the development which will be available to all traffic; a new roundabout junction on the A518 and a priority junction onto Audley Avenue. The location of the site provides easy access into the Town and wider transport links to surrounding areas.
- It is proposed to further improve the sustainable accessibility of the site by providing direct pedestrian and cycle links through the site into surrounding areas, undertaking improvements to off-site junctions and improving numbers 17 and 18 bus services so that they can route through the development site providing frequent connections to other areas of the town.
- The proposed development for up to 330 dwellings will include a mix of house sizes, types and tenures to cater for both small and larger households. The development would include 2- to 5-bed properties to reflect the character of the area and requirement in the SHMA for family housing of 2- to 4-bed properties in this part of Newport. The dwellings will mainly be 2 storeys with some 2.5/3 storey dwellings.
- It is acknowledged that there is a shortfall of affordable housing in Newport. A significant amount of affordable housing will be provided in range of tenures including shared ownership and social rented properties, in accordance with identified affordable housing needs.
- The extra care housing is proposed for location within the western parcel, close to the Station Road entrance to the site and the superstore. This involves a relatively modest 80 unit proposal. The People and Places Housing Strategy for Telford & Wrekin 2010 indicates a shortfall in suitable accommodation for the elderly and people in need of care. The 80 bed facility will therefore assist with the delivery of a balanced and mixed community on site, and will help address the requirements for attractive accommodation for elderly people within Newport's wider catchment area.

- The extra care facility would include shared facilities such as a residents' lounge and bar, hairdresser/beauty salon, IT room, trolley/electric scooter parking area, library, crafts/woodworking room, gardening area, gym/leisure facilities and dedicated transport. However, these would be determined through Reserved Matters.

#### Environmental Role

- Whilst it is acknowledged that the proposal would result in the loss of a greenfield site, as demonstrated through the submitted technical reports, the site is not an area of high ecological or nature conservation value.
- There will be a significant amount of formal and informal open space provided as part of the proposed development, which will benefit the local community within the new housing and the neighbouring areas. The development has been appropriately designed to ensure minimal impact on biodiversity within the site. It has been demonstrated through the application submission that any adverse impacts caused can be appropriately mitigated.
- In the eastern parcel of land, a large area of open space is provided adjacent to the playing fields of Burton Borough School, which provides a new sports pitch to be used by the school and community on a managed dual use basis. A new Local Equipped Area of Play (LEAP) is proposed alongside the sports pitch. The western parcel of land contains a large central open space including a Neighbourhood Equipped Area of Play (NEAP), which will provide a parkland area providing connectivity to the Millwood Mere area.
- In the eastern parcel of land, two areas are assigned to contain surface water drainage ponds; one fronting Audley Avenue and another next to the site boundary within the employment area. In the western parcel, a single large surface water attenuation pond is proposed which is located in a central open space close to the north-western site boundary. These ponds will also provide additional wildlife habitats benefiting the local environment.

#### Shaping Places DPD

- The emerging Shaping Places DPD is to replace the adopted Core Strategy, and underwent consultation on Proposed Housing and Employment Sites in May/June 2014. The consultation document included Land East and West of Station Road on Map 5.1 as an existing commitment. Although the Shaping Places DPD is an emerging plan, the inclusion of the site as an existing commitment should be taken into account as a material consideration.
- Paragraph 6.25 of the Proposed Housing and Employment Sites document refers to the outline planning consent at Station Road stating
- *“...outline planning permission has been granted for 4.5 hectares of employment land as part of a mixed use development east and west of Station Road in the southern part of Newport.”*
- As the site has been included within the Proposed Housing and Employment Sites consultation document as an existing commitment with planning consent granted, it has therefore already been determined by TWC to be an appropriate location for a mixed use development.

#### Conclusion

- As demonstrated through the application submission and previous consideration by members, as emphasised above, Land East and West of Station Road is justified as being sustainable and appropriate for delivering a mixed use development along the southern edge of Newport.

- Whilst it is acknowledged that the development would result in the loss of greenfield land and will necessitate diversion of Public Rights of Way, the benefits proposed above significantly and demonstrably outweigh the loss of greenfield land. Therefore, the site constitutes sustainable development in accordance with the NPPF, and the development would deliver significant benefits to Newport supporting each of the three dimensions to sustainable development which would not be outweighed by any negative impacts.
- I trust that the above information will assist you in preparing your report to Committee in 24 June 2015. If you require any further information please do not hesitate to contact me.

## PLANNING CONSIDERATIONS:

### Five year land supply

The context of a lack of a five year housing land supply featured within the Planning Committee report, where it was identified that an inability to demonstrate a five year housing land supply meant Core Strategy policies CS1 (Homes) which identify dwelling requirements for Telford, Newport and the rural area, CS6 (Newport) 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 these housing-supply policies could not be applied and could not provide potential reasons for refusal. In addition, there would be a presumption in favour of sustainable development taking account of paragraph 14 of the National Planning Policy Framework (NPPF), where applications would be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

Since the time of the previous approval, the Council has published in March 2015 a revised Housing Land Supply Statement. The statement sets out an updated housing land supply of 8.2 years for the borough. This figure is based on a revised borough-wide housing requirement for the five year period (2014-19) using the Telford and Wrekin Objectively Assessed Need Report (OAN) as an up to date evidence base. The report presents an up to date assessment of housing need and also considers important factors such as the potential for past under-supply. As a result of this work, the position on housing land supply has changed and the housing supply policies for the borough (Core Strategy Policy CS1 (Homes), CS6 (Newport) and CS7 (Rural Area) are now considered to be up to date. The development plan, which includes the housing supply policies, is the starting point for any decision-making and any development proposals need to be considered against national policy and the NPPF's "golden thread" of sustainable development which requires LPAs to 'boost significantly the supply of housing and approve development proposals that accord with the development plan without delay'.

This report examines the economic, social and environmental issues and concludes that the proposed mixed use of the site creates a sustainable form of development that will help maintain and promote Newport's role as a market town and as a rural service centre for its rural hinterland as well as boosting its economic base, and that technical issues can be resolved through conditions and S106 planning obligations to ensure the appropriate implementation of certain aspects such as alleviating the impact on local schools, highway network and facilities etc.

### Consideration of consultation responses

As the reasons for bringing this application back to committee are the material changes arising as a consequence of the Borough no longer having a five year housing supply, it is not considered that there is a need for the applicant to be required to revisit, update or resubmit technical information.

Local representations have been made questioning the need to develop the site now that the council has announced a five year housing land supply, and suggesting that Newport has had a disproportionate amount of new housing granted in the last couple of years; that brownfield sites should be developed first before greenfield sites are considered, and that development of this site and others in Newport should only be secured through the emerging Local Plan process.

Whilst the local authority has identified a five year housing land supply based on the Objectively Assessed Housing Needs study, this does not imply that development which is sustainable should not be granted approval, and does not remove the NPPF requirement to 'boost significantly the supply of housing'. In response to the assertion that Newport has experienced a disproportionate amount of new housing permissions, it should be noted that Policy CS1 establishes the level of delivery expected across the borough for the period 2006-2016. Policy CS1 identifies a specific figure for new homes to be delivered in Newport, at approximately 60 dwellings per year, equating to approximately 600 dwellings over the 10 year plan period. When comparing actual delivery of new homes over the latest monitoring period (2006-14) with the requirement of 600, there is a shortfall in delivery. This is due to the fact that in the 8 years between 2006-14 only 304 dwellings were actually built against the requirement for 480 dwellings (60 dwellings x 8 years) which gives a shortfall of 176 dwellings and equates to a delivery rate of 38 dwellings per year (compared to the required 60 per year). Therefore, whilst it is accepted that a significant number of sites have been brought forward through the planning application process in recent years, overall delivery still falls short of the policy requirement of 60 dwellings per year. It is recognised that there is an existing supply of commitments of 442 dwellings in Newport, as stated in the Annual Monitoring Report (2014). However, only 64 of these were under construction at April 2014. As of April 2015 the AMR is indicating approximately 87 dwellings have been completed, 118 are under construction and there are 625 dwellings with permission but not yet started (this is still a work in progress, still subject to checks and has not yet been published). There is no certainty or guarantee at this time that the remainder will be built out in full. Consequently, this site will assist in the delivery of additional homes in Newport as required under Policy CS1. The Borough now has a five year supply of deliverable housing but this does not mean that it should now refuse planning applications for housing development. In the context of the NPPF, the Council as LPA should seek to ensure that it continues to maintain this five year supply going forward.

When considering the delivery of affordable housing in Newport since the start of the plan period, Policy CS6 requires 35% of all homes provided on housing developments in Newport to be affordable. For the 10 year period 2006-2016, this equates to 210 affordable homes (35% of 600), or 21 units per year. However, based on the latest monitoring figures provided by the Council's Housing Department, the actual delivery of new affordable homes (including social rented and shared

ownership) during the first nine years (2006-15) was 55 affordable dwellings. Based on an annual average rate of 21, the number required would be 189 dwellings, creating a shortfall of 134 over the last 9 years. Furthermore, the Strategic Housing Market Assessment (2014) for the borough continues to identify a need for additional affordable housing in Newport due to the significantly high ratio between house prices and incomes in the town. Developing on brownfield sites alone will not deliver this need and this was discussed in the original committee report. Hence, residential development on greenfield sites such as this and the other two applications on this agenda (Audley Avenue and Willow Cottage) is a clear means of providing affordable housing in Newport. Consequently, the development of this site will help alleviate the deficit in provision of affordable homes to meet local need, in line with the development plan and the NPPF.

#### Emerging Local Plan

The preparation of the new Local Plan is more advanced than it was when the application was originally determined at Committee. It has been suggested that it would be premature to determine this application until land allocations under the emerging Local Plan have been more formally progressed. However, it has also been argued that the fact that this site has already been identified by the Council in certain proposed land allocation documentation should be taken into account as a material consideration. It is the Local Planning Authority's duty to consider housing provision over the longer term as well as secure a short term five year housing land supply. With the draft Local Plan not having yet been subjected to public consultation and not having been submitted for independent examination, no significant weight can be given to what or may not be set out in the draft Local Plan, so the 'prematurity' argument should not be advanced in this case.

#### Sustainable development

Under the NPPF new development still needs to be sustainable and indeed the Core Strategy, which pre-dates the NPPF, has sustainable development principles at its heart, which is why new housing development is to be focused in Telford (policy CS3), Newport (policy CS6) and certain named rural settlements (policy CS7), all of which have a wider range of services and facilities.

The proposal comprises of a number of elements to create a sustainable addition to Newport with housing, open space and play provision, an extra care facility, and 4.5ha of new employment development. As the original committee report mentions, both the long-term visions and spatial objectives of the Core Strategy and policy CS6 relating to Newport recognise Newport's role as a market town, as a rural service centre for its rural hinterland and as an important focus for employment, leisure and community facilities.

The proposed employment part of the scheme will provide a significant qualitative increase and improvement in employment provision in Newport to help meet Newport's need for some 8-9 hectares of additional class B employment (Peter Brett report 'Newport: The Need for Employment Land' - November 2013) and widen Newport's economic and social base in line with the aims and objectives of local and national policy and Newport's role as a market town supporting a rural hinterland. Hence, there is a need to increase employment land provision in Newport and a pressing need to support and encourage living and working in Newport as well as to

support and encourage a younger working population in Newport. To do so it is necessary to provide both market and affordable housing within Newport to help achieve a balanced sustainable community, which this application will do.

Officers therefore maintain the view that the proposal represents a sustainable form of development in accordance with the Core Strategy and policy aim of promoting Newport's market town status and the NPPF's focus on promoting sustainable development.

#### S106 contributions

The development will have a number of impacts on the local community and infrastructure. The provision of affordable housing is necessary in order to be consistent with Core Strategy Policies CS1 and CS6, Local Plan Policy H23 and the NPPF. The contributions towards highway and footpath improvements reflect the features of the site, the necessity for road widening and its location relative to public transport and the negotiation of these contributions is consistent with Local Plan Policy T22. The provision of a financial contribution towards educational improvements is necessary because of the link between the development and the impact on local school numbers and is consistent with Local Plan Policy H22.

The developer has agreed to contributions that are consistent with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

S106 agreements now need to be more specific regarding the matters on which planning obligation monies will be spent. This is in order to ensure compliance with the Community Infrastructure Levy (CIL) changes that came into force from 6<sup>th</sup> April 2015. The regulations restrict the "pooling" of financial contributions to no more than five contributions to a single type of infrastructure.

Previously in Newport, to deal with the number of housing and supermarket applications, the Council's Highways officers proposed a strategic solution of a series of improvements to the highway network around Newport and that each application would contribute a financial proportion to a comprehensive solution. This would then have resulted in the necessary highway works being done in a co-ordinated fashion with the benefits of cost savings from economies of scale.

However this approach can no longer be used under the recent CIL changes. In view of the "pooling restrictions" the S106 contributions may need to be reconsidered and applied to specific elements of the highway infrastructure which will require infrastructure works to be reviewed in terms of funding and delivery over future years - similarly with education contributions.

S106 contributions are amended below as follows:-

- £820,596 for Highways works to A518 Station Road to Station Road east site (TWC/2011/0871) access and Station Road east site (TWC/2011/0871) access to Audley Avenue.
- £10,000 for public transport infrastructure for bus stops;
- £7,500 for Public Rights of Way diversions and associated enhancements and footway improvements for off-site links;

- £360,000 for public transport service enhancements towards diverting local bus services into both parcels of the site;
- £10,000 for Travel Plan monitoring (comprising £5,000 (C class uses) + £5,000 (B class uses));
- Commuted maintenance sum for the Station Road PUFFIN crossing;
- £100,000 for Public Art within the site or within vicinity of the site;
- Primary Education element (£474,425) for remodelling of Church Aston Primary School and Secondary Education element (£388,166) to Burton Borough Expansion;
- Open space/landscape maintenance sums to be agreed, depending if land to be transferred to the Council;
- 35% affordable housing
- £20,000 towards planning & financial monitoring of planning conditions and section 106 (this is a maximum figure and may be changed if, in the opinion of the Service Delivery Manager of Development Management, such change is required).
- In the event that the North Audley Avenue application TWC/2011/0827 does not commence, that land for the sports pitch for joint community/school use at Burton Borough school be transferred and a memo of undertaking of undertaking is produced by the Council as land owner, requiring the provision of the sports pitch before the 75<sup>th</sup> dwelling is constructed.
- An appropriate obligation (if required) to secure that a four-arm roundabout is constructed on Station Road to ensure that adequate highway features are in place to address potential traffic arising from this development in the context of other developments which may or may not involve accesses on to Station Road in this location.

#### CONCLUSION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Council announced in March 2015 that it now has a five year housing land supply. This means that housing supply policies in the development plan can now be used, taking into account the presumption set out in paragraph 14 of the National Planning Policy Framework (NPPF), where applications that accord with the development plan should be granted without delay.

There is a need to increase employment land provision in Newport and a pressing need to support and encourage living and working in Newport as well as to support and encourage a younger working population in Newport. To do so it is necessary to provide both market and affordable housing within Newport to help achieve a balanced sustainable community, which this application will do. Officers judge that development proposal accords with planning policy (including the Council's housing supply policies) and continue to represent a sustainable form of development. Using green field and agricultural land for housing development was always envisaged to be the case for Newport as part of the Core Strategy Examination and this site, which is contiguous with the built up edge of Newport, constitutes a sustainable form of development in compliance with policies CS1 and CS6 and the long-term spatial

objectives of the Core Strategy, and remains consistent with the NPPF. It is considered that through the use of appropriate planning conditions and a S106 agreement, the proposed development would not cause harm to the immediate or wider area. Consequently it is considered that the proposal as a whole creates a suitable and sustainable form of development that will help maintain and promote Newport's role as a market town and rural service centre in accordance with both local and national policy, and should be approved.

**RECOMMENDATION:** that DELEGATED AUTHORITY be granted to the Service Delivery Manager of Development Management to GRANT OUTLINE PLANNING PERMISSION subject to:

- A) The Applicant entering in to a Section 106 Agreement with the Council relating to:
- £820,596 for Highways works to A518 Station Road to Station Road east site (TWC/2011/0871) access and Station Road east site (TWC/2011/0871) access to Audley Avenue.
  - £10,000 for public transport infrastructure for on-site bus stops;
  - £7,500 for Public Rights of Way diversions and associated enhancements and footway improvements for on-site sections;
  - £360,000 for public transport service enhancements towards diverting local bus services into both parcels of the site;
  - £10,000 for Travel Plan monitoring (comprising £5,000 (C class uses) + £5,000 (B class uses));
  - Commuted maintenance sum for the Station Road PUFFIN crossing;
  - £100,000 for Public Art within the site or within vicinity of the site;
  - Primary Education element (£474,425) for remodelling of Church Aston Primary School and Secondary Education element (£388,166) to Burton Borough Expansion;
  - Open space/landscape maintenance sums to be agreed, depending if land to be transferred to the Council;
  - 35% affordable housing
  - £20,000 towards planning & financial monitoring of planning conditions and section 106 (this is a maximum figure and may be changed if, in the opinion of the Service Delivery Manager of Development Management, such change is required).
  - In the event that the North Audley Avenue application TWC/2011/0827 does not commence, that land for the sports pitch for joint community/school use at Burton Borough school be transferred and a memo of undertaking of undertaking is produced by the Council as land owner, requiring the provision of the sports pitch before the 75th dwelling is constructed.
  - An appropriate obligation (if required) to secure that a four-arm roundabout is constructed on Station Road to ensure that adequate highway features are in place to address potential traffic arising from this development in the context of other developments which may or may not involve accesses on to Station Road in this location.
- B) Conditions as previously agreed (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):

\*\*\*\*\*ORIGINAL REPORT & UPDATES BELOW \*\*\*\*\*

## UPDATE PRESENTED TO PLANNING COMMITTEE ON 11 DECEMBER 2013

### 1. Consultee responses received from:-

Natural England

Further response submitted specifically relating to soils and land quality:-

- Although we consider that this proposal falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, Natural England draws your Authority's attention to the following land quality and soil considerations:
- The soil survey submitted with the application covers a slightly larger area of land than is included with the planning application boundary. We are not therefore able to advise on the exact quantities of differently graded agricultural land that would be lost. However we can advise that the area of 'best and most versatile' agricultural land (Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system) would be less than 18.9ha. A portion of the agricultural land, including some of Grade 2, would only be developed for 'soft uses' within the public open space and this soil resource may not be irreversibly lost.
- Government policy is set out in paragraph 112 of the National Planning Policy Framework which states that: *'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'*. Therefore the presence of best and most versatile land is a material consideration and the weight to be attached to it is a judgement for your authority in determining the application.
- In order to safeguard soil resources as part of the overall sustainability of the development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management.
- Consequently, we advise that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and how to make best use of the different soils on site. Recommend that the following guidance is followed: in Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks)*.

TWC Ecologist

Upon receipt of additional ecological information from the applicant's ecological consultants, the Council's Ecologist has completed her comments, summarised below:-

#### **Reptiles**

- The letter from FPCR dated 5<sup>th</sup> December 2013 provides additional information relating to the approach to reptile mitigation. Only a small area of the available

habitat which is potentially suitable for reptiles will be affected by the provision of the sports pitch, the remainder of the existing potential habitat will be retained in open space and managed appropriately for the species. FPCR are satisfied that precautionary methods of working are sufficient to ensure the appropriate protection of reptiles during the works in this area of the site and set out, in their letter, the detailed precautionary methods of working and site clearance which will be adhered to.

- These methods are sufficient to ensure the protection of reptiles which may potentially be present on the site.

#### **Badgers**

- The letter from FPCR dated 5<sup>th</sup> December 2013 provides additional information relating to the approach to badger mitigation on the site including provision of an artificial sett to replace the active subsidiary sett which will be lost.
- The letter from FPCR sets out the pre-commencement check which will be undertaken, the provision of an artificial sett both in terms of design and timescales, the closure of the existing sett under licence from Natural England and the general precautionary methods of working required on the site to ensure the protection of badgers.
- The measures set out in the FPCR letter dated 5<sup>th</sup> December 2013 are sufficient to ensure the protection of badgers during the works and the long term provision of suitable habitat and an artificial sett on the site.

#### **Pond 1**

- The letter from FPCR dated 5<sup>th</sup> December 2013 clarifies that this pond is actually on the adjacent planning site but that the enhancement and reconfiguration of the pond set out in the Environmental Statement is required to facilitate the delivery to the joint access road shared by the two schemes.
- FPCR recommend that there should be a Grampian planning condition relating to the pond enhancement works on the decision notice for this application.

TWC Development Plans/Policy (NB: these comments have been online for a while, but were erroneously omitted from the committee report).

- **Policy CS1** relates to housing developments in the borough. A local housing requirement for Newport of approximately 60 houses a year is established within this policy. Since the start of the Core Strategy plan period (2006), 265 dwellings have been constructed in Newport, leaving a shortfall of 155 dwellings at 1st April 2013. 440 dwellings have planning permission but are not yet started and 13 are under construction. These include the sites at Wellington Road (TWC/2011/0821) and Audley Road (TWC/2011/0334) totalling 346 dwellings which are expected to be built out over the next 10 years at approximately 30 dwellings a year on each site. Further sites are therefore needed to be delivered to meet the requirement for Newport.
- Borough wide the authority is dealing with a shortfall in house building of 4412 dwellings overall, with 4387 dwellings granted and expected to be delivered in the next 5 years. The Borough target for the next 5 years is set at 700 a year totalling 3500. As the Borough has historically not delivered its targets the NPPF requests a 20% buffer on the target. Along with the shortfall which is expected to be delivered over the next 5 years, this gives a five year target of 8612 (1722 annually). The 4387 expected to be delivered equates to 2.5 years' worth of supply against that target.

- The NPPF states that ‘relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.’ For Telford & Wrekin Council the relevant policies relating to this are CS1 (Homes) and potentially CS6 (Newport) and CS7 (Rural Area) which seek to direct housing into certain locations in line with the strategy. Planning applications cannot therefore be refused on the grounds of housing supply alone and there will be a presumption in favour of sustainable development.
- As this planning application would appear to aid the 5 year supply, no objections would be raised to the proposal under Core Strategy policy CS1.
- **Policy CS2** relates to jobs. This requires provision to be made to creating new job opportunities that; are sufficient to meet the needs of a growing population; in accessible locations; offer a choice of work opportunities; reduce out-commuting; meet the needs of existing businesses; help to achieve greater diversity in the economic base; establish and maintain a portfolio of sustainably located and attractive sites; and minimise the impact of employment development on adjoining uses. The proposed development incorporates 4.5 hectares of employment land at its eastern end, replacing the existing Audley Avenue Enterprise Park and a site allocated for employment development within the Wrekin Local Plan (policy E2). The principle of employment development in this area of Newport has already been established by these existing sites and the proposed development will provide a greater choice of job opportunities, reduce out-commuting, provide a more modern offer through better quality units that are more flexible and adaptable to occupant’s needs and will provide a more visible and accessible location from the A518 bypass. These positive aspects are supported by the evidence provided in the recent employment land study undertaken for the Newport area<sup>1</sup>. In regard to the employment aspects of the scheme, the proposed development will therefore be in accordance with policy CS2.
- **Policy CS6** relates to development in Newport. This states that developments will support Newport’s role as a market town, meet local needs (including those of the rural hinterland) and support the town’s regeneration. Available employment land will be increased in order to provide new local employment opportunities. 35% of all residential developments in the town are to be affordable. All development will also have to respect and enhance the quality of the town’s built and natural environments, including its townscape and impact on surrounding countryside.
- As stated under policy CS2, the proposed development will provide employment opportunities that are more able to cater for modern employment and business needs. The Planning Statement submitted with the outline planning application suggests that the actual amount of affordable housing to be delivered on the site is a reserved matter. This aspect of policy CS6 will therefore need to be considered at the reserved matters stage. Finally, in regard to townscape, impact on the countryside and the quality of the built and natural environments – these will need to be considered under the urban design and landscape design policies (CS15, UD2, UD3 and UD4) and also in light of comments received from urban design officers.

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<sup>1</sup> Peter Brett Associates LLP (November 2013) *Newport: A Review of the Need for Employment Land*

- **Policy CS8** is relevant to developments that help to deliver regeneration. Such developments are supported where they; assist the creation of job opportunities; strengthen Newport's role as a market town and meets identified rural regeneration needs. As this development will assist in creating jobs and will provide a greater range and choice of employment opportunities for Newport and the rural area it will be in conformity with policy CS8.
- **Policy CS9** states that development will promote sustainable forms of transport (including by public transport, cycling and walking), be located in existing centres to minimise the distance people travel, increase the safety of travel, and minimise the negative environmental impacts of travel including congestion, air pollution and noise. The development site lies on either side of Station Road, providing a direct route and short journey to Newport town centre which offers a wide range of services and community facilities. A strategic footpath (Hutchison Way) which is also a public right of way runs through the site and this is to be integrated within the development scheme.
- **Policies CS15, UD2, UD3 and UD4** relate to urban design and landscape design. Advice should be sought from the appropriate council officers in order to determine whether or not the scale, layout and wider impact of the proposed development will be in accordance with these policies.
- **Policy E2** is relevant to the allocated employment site at Audley Avenue as shown on the Wrekin Local Plan proposals map. This, along with the existing Audley Avenue Enterprise Park, will be replaced by a new 4.5 hectare employment park within the proposed development scheme.
- As stated under policy CS2, this proposal will result in a more modern economic offer for Newport and will therefore provide employment development opportunities that can cater for and respond to today's needs.
- **Policy E4** relates to employment development on unallocated sites within urban areas. This states that developments over 1 hectare will be considered on brownfield/redevelopment land in Telford. At the time the Wrekin Local Plan was prepared, evidence suggested that there was demand for smaller sites and premises for development (Wrekin Local Plan paragraph 3.6.14) and policy E4 was intended to respond to this. This evidence is now out of date and the economy has changed dramatically since the Wrekin Local Plan was prepared. A more recent evidence study<sup>2</sup> suggests that there is demand for B class development land in Newport and that existing land and buildings within the town are not adequate for today's economic needs. Furthermore, the proposal is to redevelop and relocate an existing employment area and to replace an existing allocated employment site. This more up to date position therefore reduces the relevance of policy E4 to this proposal.
- **Policy H23** relates to affordable housing. As stated under policy CS6, the amount of affordable housing to be delivered on the site is a reserved matter and so it will need to be considered under this policy at that stage.
- **Policy T22** relates to planning obligations for transport improvements from developers. These include improvements to existing highways and provision of new roads; provision for public transport improvements; traffic calming measures; infrastructure to meet the needs of the pedestrians, cyclists and horse riders; access for people with disabilities. The appropriateness of seeking such

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<sup>2</sup> Peter Brett Associates LLP (November 2013) *Newport: A Review of the Need for Employment Land*

contributions from this proposed development should be considered in negotiation with the appropriate officers and the developer.

- **Policy LR6** relates to developer contributions to outdoor recreational open space and states when granting new residential development that the Council will require the provision of outdoor recreational open space within new housing developments to meet the standards set out by the National Playing Fields Association of 2.43 hectares per 1,000 people. The illustrative masterplan submitted with the proposal shows that there are large areas of open space that are to be integrated within the development scheme. These include amenity spaces, ball courts, play facilities and a playing field. Negotiation will be needed with Parks and Open Space officers in order to determine whether the proposed open spaces within the scheme will be appropriate.
- **Summary**  
Although this development proposal lies largely outside Newport's built up area it is in general conformity with most of the existing local planning policies. Further comments should be sought from appropriate officers in regard to the landscape, ecological and recreational implications of the proposed development, especially as this is currently a greenfield site.

## **2. Other comments received, summarised below, from:-**

Councillor Eric Carter

- An Indicative Plan has been accepted by Newport Regeneration Partnership, Newport Town Council, Newport Chamber of Commerce and via a public meeting at the Royal Victoria Hotel last Monday evening where some 85/90 residents were present.
- The Council has put forward its own report to Cabinet on the 14th November headed "The need for employment land in Newport" which accepted that Newport required additional land for future employment growth in the coming years and that Audley Avenue was where this should be focussed.
- In the Consultation Responses on pages 43-46 of the application both NTC and Church Aston Parish Council refer to my plan and support its aims.
- It surely is inconsistent with the principle of ensuring further land is made available for class B land when at the same time accepting that perfectly good, and fully occupied units at Audley Avenue Enterprise Park be demolished to make way for housing. To further state that these units are past their sell by date is misleading and untrue.
- The Plan I have presented, which by the way has been accepted as a relevant document by Michael Barker and David Sidaway, to go forward as part of the Shaping Places strategy identifies a potential enterprise Zone of 18 hectares (including 4.5ha in the St Modwen outline application), the 2.3ha of land south of Newport Silos, the redevelopment of Parkland House and the area behind the Audley Avenue Business Park, plus a further 8.42 Ha site to the east of the A41 (part of which has an extant planning permission recently renewed) for a hotel, lorry park. This would more than meet the demand for additional employment space over the next 20yrs.
- I have recently met with the Managing Director of Morning Foods in Crewe, who own the Newport silos site and who are desirous of developing their land for future growth, but the proposal to demolish the existing units adjacent to their land to allow totally unnecessary housing in this location would put this investment at risk.

- Call upon the Board to reject this element of the application and to allow discussion to take place regarding the future development of this whole area for employment opportunities.

#### Councillor Phil Norton

- The site is not required to meet local housing needs – there is more than sufficient deliverable housing land identified in Telford & Wrekin to meet housing needs over the next 5 years as the Council have already said (and so meets national planning policy requirements), and there are already 720 new homes approved or under construction on the periphery of Newport.
- Over-development in Newport will undermine the ability of Telford to meet its housing targets as a growth area and realise the potential of past investment in its infrastructure.
- There is insufficient local demand for housing in Newport; a further 1000 houses will mean substantial levels of in-migration and further out commuting to work, both contrary to current Development Plan policies.
- The applicant argues that Station Rd should be developed to help meet the shortfall in housing targets over the Development Plan period to 2016, but in reality very few houses will be built on the Station Rd site in the next 3 years. Therefore any decision made now is premature.
- The bulk of the Station Rd 350 homes will be built beyond the current Development Plan period (2016), and a new Local Plan has yet to be produced, consulted on and approved by a Government Inspector.
- Current Development Plan housing targets in Newport (60 p.a.) are based on the need to provide affordable homes (for social rent) on the back of private housing developments (such as the proposal for Station Rd). To achieve the numbers of affordable homes apparently now required (124 p.a.) would mean the building of between 360-880 homes annually in Newport (depending on the proportion built for social rent). This is clearly not achievable and so affordable housing targets cannot be used to justify this major urban extension to Newport on greenfield land.
- There will be an unacceptable cumulative impact on the local social, environmental and drainage infrastructure and a loss of valuable grade 2 agricultural land if a further 350 homes are built (c900 people) on top of the 700+ that are already either under-construction or now have planning permission.
- Health services and the transport infrastructure in particular are unlikely to cope. Severn Trent Water have yet to produce their assessment of whether the existing foul and surface water infrastructure can cope with an additional 1000 houses and whether additional investment is needed to prevent serious flooding problems. Until this assessment is made no decision on further housing development should be made.
- Development of Station Rd will result in the loss of an important area of informal natural open space of which there is an identified shortfall in/on the periphery of Newport. The proposed formal park and play area is no substitute for this loss and will have a significant impact on local bio-diversity.
- The development of further employment land around the existing industrial/commercial area at Audley Avenue should be supported, but not the demolition of the Enterprise Park to provide yet more housing.

Is this out of town site the most suitable location for extra care housing when there are potentially better locations within Newport on brownfield land.

Indigo Planning (on behalf of Audley Avenue Business Parks)

- The original application was formulated and promoted as a mixed-use development including a superstore, employment uses and housing development. A separate full application was made at the same time for the superstore element. This application is on Council owned, greenfield land. The full application for the superstore has been called in by the Secretary of State (SoS) for communities and Local Government because of the lack of consistency with the development plan for the area and its conformity with policies in the NPPF (in particular ensuring the vitality of town centre). The superstore inquiry will be held next year.
- The key concerns the SoS had about the full application for the superstore apply equally to the housing application.
- The superstore and housing development are directly linked - they should therefore be considered in tandem or at the very least, a decision on the outline application should not be made until the SoS has made his decision on the called-in superstore application.
- The outline application has been amended to remove the superstore element from the proposals in an attempt to achieve a planning decision on the proposed housing and employment element.
- It is clear that the Council are pushing through this application without due consideration in order to support their case for a foodstore on their land and increase the prospect of successfully selling the site - the planning merits of the case have not been properly and fully assessed.
- For example, the council's sudden decision to reduce its reported housing land supply from over 13 years to 2.5 years has simply not been justified. The fact is that until last month the council was confident that it could demonstrate a housing supply well in excess of 10 years and now only reports to have 2.5 years brings into question the overall robustness of its own assessment.
- The officer's report refers to the 2013 Annual Monitoring Report, but this document is not publically available - this document should be published and scrutinised by the public before a decision is made by the council on what is significant housing scheme outside the development area of Newport for which there might be need or demand.
- In addition, it should be considered that there is an identified shortage of open space in Newport, as acknowledged in the paragraphs 3.87 and 5.1 of the adopted Core Strategy - while the revised outline scheme does re-provide some of the lost open space in the form of an area of amenity space to the west of station road, it is not an equal amount to that which will be lost if this proposal goes ahead.
- As the foodstore site is no longer part of the proposal, this area should be included within the Masterplan as open space which is its current function.

Local residents

A further **18 letters of objection** have been received, raising similar concerns and reasons as other residents and which have already reported in the committee report.

### 3. Habitat Regulation Assessment

- A Habitat Regulation Assessment screening has been undertaken, which concludes that there is no likely significant effect and no likely effect on the integrity of the European Designated Site at Aqualate Mere Midland Meres and Mosses Phase 2 from the proposed development under the amended planning application reference TWC/2011/0871 at Land to the East and West of Station Road, Newport, Shropshire for the Erection for up to 350 no. dwellings (Use Class C3); extra care housing (Use Class C2); 4.5ha of employment land (Use Classes B1, B2 and B8); public open space and landscaping provision including sports pitch and landscaped park; demolition of existing industrial buildings; highway works and associated infrastructure development (Outline to include Access).
- Therefore there is no legal barrier under the Habitat Regulation Assessment process to planning permission being granted in this case.

### 4. Conditions

The conditions attached at the end of the committee report are incomplete and there is a need to correct, amend and add further conditions, including those from consultees. Officers still require delegated authority to attend to this matter, as indicated in the recommendation.

For example there will be a need to impose conditions requiring the existing employment at the Enterprise Park is not demolished until some of the new employment is built and demolition of Enterprise Park only takes place when contracts have been signed to deliver some new employment.

### 5. S106

In section o) of the planning report relating to Planning obligations - S106 contributions, reference is made to S106 monitoring fees being 5%.

However, this is intended to apply to new applications, but as this application was submitted in 2011, officers consider it should be subject to the previous monitoring rates of £1,000 flat fee plus £500 per covenant.

### 6. Amended plans

Two amended access plans have been submitted that show minor changes to the proposed new roundabout on Station Road, in order to provide pedestrian access around the eastern edge of the roundabout as required by the Council's Highway Officer. The amendments move the roundabout fractionally towards the site entrance on the eastern parcel.

### 7. Recommendation

As a result of the above comments, officers consider there is **no need to change the recommendation** and it should remain as GRANT outline planning permission as set out in the committee report.

However note:-

- reference to the S106 monitoring fees means £1,000 flat fee plus £500 per covenant.
- the list of conditions needs to be amended and updated as officers deem necessary.

## **ORIGINAL REPORT TO PLANNING COMMITTEE ON 11 DECEMBER 2013**

OBJECTIONS RECEIVED: Yes.

### **MAIN ISSUES**

Housing need and supply in the Newport area, principle of housing and employment development in this location, loss of agricultural land, highway and traffic issues, surface and foul water drainage, other infrastructure issues, open space and play provision, ecology and Habitats Regulation considerations.

### **THE PROPOSAL**

This is an outline application for a mixed use major scheme on 23.9 hectares of land to the east and west of Station Road, Newport and linking through to Audley Avenue. The outline application includes access. Issues relating to layout, scale, appearance, and landscaping would be reserved matters for later consideration. The application has been revised since it was first submitted in October 2011.

Originally the application comprised:-

- 28 hectares of land
- A new supermarket to provide 8,100 sq m gross internal floor area (GIA) and net retail sales floor space of 4,645 sq m with car park providing 530 car park spaces and a 24 hour petrol filling station (3.9ha)
- Up to 350 dwellings, with 35% affordable housing (10.6ha)
- New industrial estate comprising B1, B2 and B8 uses (4.5ha)
- Extra Care Home for the elderly (0.4ha)
- Highway alterations and infrastructure provision - via a new 3-arm roundabout off a realigned Station Road followed by a short section of new highway serving the site and adjoining land connecting to a 4-arm roundabout providing direct access separately to the car park, service yard to the store and adjoining land
- Informal and formal public open space, including sports pitch (6.6ha)

However, the application has been revised to exclude the land ear-marked for the supermarket and petrol filling station and as a result the red line around the application site has been amended accordingly. The supermarket and petrol filling station no longer form part of the outline application.

The amended application now comprises the following components:-

- 23.9 hectares of land
- Up to 350 dwellings, with 35% affordable housing (10.6ha)
- New industrial estate comprising B1, B2 and B8 uses (4.5ha)
- Extra Care Home for the elderly (0.4ha)
- Highway alterations and infrastructure provision - via a new 3-arm roundabout off a realigned Station Road followed by a short section of new highway serving the site and adjoining land connecting to a 4-arm roundabout that leads to the rest of the estate, with a blank arm that could link to the land to the north that has been excluded from the application.

- Informal and formal public open space, including sports pitch and equipped NEAP and LEAP play areas (6.6ha).

The planning application is supported by the following documentation:-

- Site location plan, Illustrative masterplan, Parameters plan and Highway Access plans
- Revised Planning Statement
- Revised Design & Access Statement
- Transport Assessment with updated addendum
- Framework Travel plan
- Geo Environmental Report
- Infrastructure Report
- Employment Land Report with updated addendum
- Statement of Community Involvement
- Revised Environmental Statement & Non-Technical Summary - includes chapters on Alternative Sites; Socio Economic; Landscape & Visual Amenity; Flora, Fauna & Nature Conservation; Noise & Vibration; Drainage, Hydrology & Water Quality; Traffic & Transport; Air Quality; Archaeology & Cultural Heritage; and Cumulative Effects.

Most of the 23.9ha is greenfield land in the rural area between the built-up boundary edge of Newport (as defined on the Wrekin Local Plan proposals map) and the A518 by-pass around the south east of Newport. However, part of the site off Audley Avenue proposed for housing, employment and the sports pitch lie within the built-up boundary of Newport and the site includes the existing Audley Avenue Enterprise Park.

The proposal will be served by new roundabout junctions and access points off Station Road, the A518 by-pass and Audley Avenue. Development to the west of Station Road would be accessed by a new roundabout junction off Station Road that would serve a new spine road which would then give access to the residential development and the extra care facility. There would also be a new bus priority/emergency route onto the A518 by-pass from the western end of the site.

The development to the east of Station Road would be accessed by a new roundabout off the A518 by-pass to serve the proposed new residential and employment land. The new estate road would continue north through the site and link to Audley Avenue. Therefore the land to the east of Station Road can be accessed either from Audley Avenue or from the new access point off the A518 by-pass.

Being an outline application, only the access details and the principle of the development can be considered - issues relating to the detailed design and appearance of the buildings, their exact positioning, landscaping and boundary details etc. will all form part of later subsequent reserved matters applications that will need to be submitted, should outline planning permission be granted.

The proposal in more detail comprises:-

#### Residential

- 10.6ha for approx. 350 dwellings - open market and 35% affordable
- Phased build over some 11 years (2015 -2026) with an average build rate of 30 units per year (exact phases and time periods would be dependent on the housing market and on the timescales for the outline and reserved matters applications, if planning permission is granted).
- Average density of 33 dwellings per hectare
- Indicative house type mix of 35no. x 2-bed units, 123no. 3-bed units, 157no. 4-bed units and 35no. 5-bed units - exact numbers and house types would be determined with the submission of subsequent reserved matters applications when detailed estate layouts and elevations showing the design and appearance of the dwellings are submitted.

#### Employment

- 4.5ha of employment land for Use Class B1 (office and light industrial), B2 (general industry) and B8 (storage and distribution), 3ha of which is the “allocated” industrial/employment land on the Wrekin Local Plan proposals map.
- 18,000sqm of mix of larger industrial/distribution premises, smaller industrial units and offices for Use Class B1 (office and light industrial), B2 (general industry) and B8 (storage and distribution) - breaks down approx. to 12,000sqm of large industrial & distribution premises (B2/B8 uses); 4,000sqm of smaller industrial premises (B1c and B2 uses), and 2,000 sqm of office (B1a).
- Demolition of the existing buildings on Audley Avenue Enterprise Park (as this will become housing) and replacement within the new employment area on land east of Station Road.
- Create approx. 359 full time equivalent jobs (although of these some 232 likely to replace the floor space jobs on the existing Audley Ave Enterprise Park when units are demolished and possibly relocated).

#### Open spaces/leisure/landscaping (6.6ha)

- Sports pitch for joint use by Burton Borough School and the community (the sports pitch is subject to a separate full application for the school TWC/2013/0832).
- A new Local Equipped Area of play (LEAP) alongside the new sports pitch (on eastern parcel).
- A new Neighbourhood Equipped Area of Play (NEAP) with ball court and wheeled play facility on western parcel.
- Areas of informal landscaped park and informal recreation, including two balancing ponds and a surface water attenuation pond.

#### Extra Care facility

- An 80-bed residential building for extra care for the elderly with its own parking
- Bungalows as part of extra care facility
- Likely to be some job creation with need for carers and other staff.

The construction phases of the development are likely to create some 132 jobs.

The applicant intends to build the entire development in some six phases over a 10-15 year time period. The dates are indicative and based on outline planning permission being granted and subsequent reserved matters applications being submitted and granted. Broadly the land to the west of Station Road would be developed first in four phases between 2015 and 2021, with the Extra Care being provided in the second phase. The land to the east of Station Road would be developed last. However, the employment provision (offices and industrial units) would be provided on a continuous basis throughout the 10-15 years of construction on a speculative and design & build basis.

The applicant has provided a phasing plan in figure 1.6 of the Environmental Statement (Vol. 3), the details of which are set out below: -

PHASE	YEAR	DEVELOPMENT
<b>Phase 1 - Western parcel</b>	<b>2015 - 2017</b>	<ul style="list-style-type: none"> <li>• Housing facing by-pass in far south west (approx 57 units)</li> <li>• Balancing pond &amp; informal open space</li> <li>• New roundabout on Station Road new access onto A518</li> </ul>
<b>Eastern parcel</b>	<b>2016</b>	<ul style="list-style-type: none"> <li>• Spine road</li> <li>• Sports pitch on eastern parcel</li> </ul>
<b>On-going</b>	<b>2015 - 2030</b>	<ul style="list-style-type: none"> <li>• Employment</li> </ul>
<b>Phase 2 - Western parcel</b>	<b>2017 - 2018</b>	<ul style="list-style-type: none"> <li>• Housing on corner Station Road (approx 32 units)</li> <li>• Extra-care home</li> </ul>
<b>Phase 3 - Western parcel</b>	<b>2018 - 2020</b>	<ul style="list-style-type: none"> <li>• Housing in centre (approx 64 units)</li> <li>• NEAP and open space in centre</li> </ul>
<b>Phase 4 - Western parcel</b>	<b>2020 - 2021</b>	<ul style="list-style-type: none"> <li>• Housing far west corner of western parcel - approx 34 units</li> </ul>
<b>Phase 5 - Eastern parcel</b>	<b>2022 - 2024</b>	Demolition of employment buildings fronting Audley Ave and erection of housing fronting Audley Ave (approx 102 units)
<b>Phase 6 - Eastern parcel</b>	<b>2022 - 2026</b>	<ul style="list-style-type: none"> <li>• Housing west of eastern parcel (approx 63 units)</li> </ul>

Three public footpaths cross the site CA1 (on eastern parcel), CA2 Hutchinson Way (between A518 and Station Road) and N38 (between The Folly and Springfields). All of the footpaths will need some degree of diversion. Diversion of a public right of way is a separate process that the developers will have to undertake.

The developer intends to request diversions to the existing bus service 17 through the eastern parcel to link the A518 with Audley Ave, and divert bus service 18 through the western parcel from Station Road south west to the new bus priority/emergency junction onto the A518.

The proposed development is considered to be a Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The application was screened and was deemed to require an Environmental Impact Assessment (EIA). As a result an Environmental Statement (ES) has been submitted with the planning application. The ES considers the landscape and visual impacts, ecology and nature conservation, noise, hydrology and water quality and socio-economic impacts. To reflect the amended application, the ES has been revised accordingly.

Also since the application was originally submitted in September 2011, the government published a new National Planning Policy Framework (March 2012) which supersedes many of the previous Planning Policy Statements. The supporting documentation to this amended outline application has been updated to reflect the change in national policy.

If members are minded to grant outline planning permission, then the committee report and committee resolution will be sent to the Secretary of State, to allow an assessment to be made as to whether there are any issues of a significant enough nature to warrant intervention from the Secretary of State or whether the final decision can be left to the local planning authority. This was done to the other housing applications on Wellington Road and Land North of Audley Avenue, and the Secretary of State did not call-in either of those applications. The Secretary of State has been advised of this revised application.

## **BACKGROUND UPDATE**

Two years have now passed since the application was originally submitted in October 2011, so it is necessary to update members on what has occurred in Newport since then.

At around the same time as this outline application was submitted in 2011 a separate full application (TWC/2011/0916) for a supermarket and petrol filling station was submitted on part of the outline site on Land to the West of station Road. In addition two other major housing applications were submitted, namely for 250 dwellings on Land off Wellington Road (TWC/2011/0821) and 215 dwellings on Land to the north of Audley Ave (TWC/2011/0827). The Council was also deliberating on a smaller supermarket application at the Classic Furniture site on Audley Avenue (TWC/2011/0632).

The applicants for the supermarket application at Audley Avenue (TWC/2011/0632) appealed against non-determination. Following a public inquiry in May 2012, the

supermarket was approved on appeal by the Planning Inspector in August 2012. The Council lodged a High Court challenge in respect of the Inspector's decision, but this was not upheld by the High Court in May 2013. However, the Council has been granted leave to appeal to the Court of Appeal as "the issues raised on the appeal have a reasonable prospect of success" and the Court of Appeal hearing is likely to take place in January 2014.

In July 2012, the Secretary of State decided to "call-in" the supermarket application on Station Road (TWC/2011/0916). A public Inquiry was held during January and February 2013, but unfortunately the Inspector died before the Inquiry was fully heard and hence no decision was made. As a result, the Planning Inspectorate has ruled that the call-in inquiry should be heard again in full. This was scheduled to re-convene on 28<sup>th</sup> January 2014. However, at the recent pre-Inquiry meeting, the Inspector has ruled that the inquiry is postponed until the outcome of the Court of Appeal decision.

The outline application before members has effectively been "on hold" as the site originally included the supermarket land that is subject to the Secretary of State's call-in direction on the full supermarket application on Land to the west of Station Road (TWC/2011/0916). However, because the red line for the outline application has now been amended to exclude the supermarket and petrol filling station (i.e. the land subject to the call-in) the outline application can now be determined.

The two other applications on Wellington Road and Land North of Audley Avenue, have progressed in the meantime and both applications have been resolved to be granted by the Council's Planning Committee (or Plans Board as it then was). As the Secretary of State requested, both applications have been referred to the Secretary of State. He has decreed that both applications can be determined by the Local Planning Authority without his further intervention i.e. the applications were not "called-in". Also, despite representations made to the Secretary of State from third parties, he did not find it necessary to determine all the applications together.

Since the three large housing applications were submitted in autumn 2011, several other housing planning applications have since been submitted and granted by members for housing on land outside the built up boundary of Newport; namely 34 dwellings off Maynard's Croft (TWC/2012/0211); 85 dwellings off Edgmond Road (TWC/2013/0297) and an Extra Care Village of 209 units on Land adjacent the A41 (W2008/0934).

Also a recent reassessment of local plan housing supply has shown the Council does not have a 5 year supply of deliverable housing land and this has implications for the determination of planning applications in Newport and the wider Borough when assessed against the government planning advice in the National Planning Policy Framework (NPPF).

## **SITE AND SURROUNDINGS**

The application site lies approx. 1km south of Newport town centre and to the south west outside the town's built up boundary, as defined on the Wrekin Local Plan Proposals Map. The land comprises an area of 23.9 hectares spanning almost 1km across, and situated between the by-pass (A518) and the built up edge of Newport.

The site is effectively 2 parcels either side of Station Road (western and eastern parcels).

Newport, an historic market town, lies approx. 6kms north east of Telford town centre with a range of shops and services, including doctors, dentists, three secondary schools (two of which are selective entry) and has a population of about 11,500. The Borough boundary with Staffordshire is about 800m away and the centre of Stafford is approx. 20kms (12 miles) to the north east via the A518.kms to the north east along the A41, which has now been de-trunked.

Land to the west is currently used for arable agriculture (Grade 2). This part of the site has a predominantly flat, but slopes gently up to the south west, and has a typical edge of settlement character with agricultural fields bounded by interrupted hedgerows. The former railway line runs east-west from Station Road and the edge of the nearby housing estates and residential properties adjoin parts of the northern and far western site boundaries.

Land to the east of Station Road extends parallel to the by-pass and north to adjoin Audley Avenue and wraps around the existing business/industrial area off Audley Avenue. The land is also predominantly arable agricultural land, but also contains existing industrial/office buildings accessed off Audley Avenue. The eastern Station Road land abuts the boundary with the Burton Borough School and some residential properties off Station Court. The southern boundary of both parcels of land along the A518 by-pass is mature trees and hedgerow that will principally remain and provide the site with a visual buffer from the by-pass.

Three definitive public rights of way currently cross the site, including a stretch of the Hutchinson Way. These will need to be diverted, but this is a separate process to granting planning permission.

## **PLANNING HISTORY**

TWC/2011/0916 - Erection of a new superstore, highway works, associated infrastructure and landscaping (Amended Description). Decision pending and subject to a Secretary of State Call-in Inquiry to be re-convened in January 2014, following the death of the Inquiry Inspector.

## **PLANNING POLICY CONTEXT**

National Planning Policy Framework (NPPF)

The West Midlands Regional Spatial Strategy was revoked in May 2013.

Saved Wrekin Local Plan (1995 - 2006)

Although the Plan is time expired, there are still "saved" policies of relevance:-

Policy NR6 – Waste Disposal and Recycling facilities

Policy UD2 – Design Criteria

Policy UD3 - Urban Design Assessments

Policy UD4 – Landscape Design

Policy UD5 – Public Art  
Policy H7 - Large Scale Regeneration Exceptions in Telford & Newport  
Policy H22 - Community Facilities  
Policy H23 – Affordable Housing  
Policy E2 - Employment Land Allocations  
Policy T22 – Planning Obligations  
Policy OL6 – Open Land  
Policy OL11 - Woodland and Trees  
Policy OL12 – Open Land and Landscape – contributions from new development  
Policy OL13 – Maintenance of Open Space  
Policy LR4 - Outdoor recreational Open Space  
Policy LR6 – Developer contributions to outdoor recreation open space provision within new residential developments

LDF Core Strategy (2006 - 2016)

Policy CS1 – Homes  
Policy CS2 - Jobs  
Policy CS6 – Newport  
Policy CS7 – Rural Area  
Policy CS9 – Accessibility and Social Inclusion  
Policy CS10 – Community Facilities  
Policy CS11 – Open Space  
Policy CS12 – Natural Environment  
Policy CS13 – Environmental Resources  
Policy CS15 – Urban Design

In June 2013 the Council published a Strategy and Options Document for consultation on its new Local Plan: Shaping Places. Shaping Places will eventually replace the existing Core Strategy and any saved policies from the Wrekin Local Plan. The new plan is programmed for adoption in 2015 and will look ahead to 2031. As part of the new local plan, a Land Allocations Document will be prepared.

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## **CONSULTATION RESPONSES on ORIGINALLY submitted scheme**

**Severn Trent Water** – Comments summarised below:-

- There is a public sewer located within the application site - public sewers have statutory protection and may not be built close to, directly over or diverted without consent.
- There are also pumping stations close to the planning application site. Furthermore, any new development must not restrict our access to the sewage pumping station - due to the close proximity of the proposed new development the occupant may experience noise/smell pollution.

After further discussion between planning officers and Severn Trent to explain that there were several large housing applications in Newport, further comments have been submitted, summarised below:-

Under the Water Industry Act, developers have the right to connect foul and surface

water flows to public sewers and STW have a duty to provide additional capacity. Where there is insufficient capacity, STW cannot refuse connection but can ask the LPA to delay development pending upgrading. STW have to fund any capacity improvements, but also have a duty to minimise the impact on customers' bills - they also don't want to delay new development but need to avoid abortive expenditure associated with speculative development. STW also has a duty to comply with discharge consents issued by the Environment Agency (EA).

In terms of the *sewerage network*, Newport is split into two sewerage sub-catchments – one to the north-west and the other to the south-east. There are known capacity issues within the SE catchment with records of sewer flooding affecting properties and gardens etc. Mitigation to properties has been successful but risk to external areas - gardens and highways - remain. Preliminary investigations suggest that additional flows from proposed development in the western catchment are likely to exacerbate existing problems. Investigatory work to look at solutions and options will be completed late summer 2012.

Possible solutions include the developers reducing the amount of surface water (rain water) that enters the foul sewers, which will free up capacity for additional foul flows, and/or replacing parts of the sewerage system with larger sewers. The costs and benefits of each of the options will be assessed and the most suitable solution will be selected. STW may invite the LPA to delay commencement or occupation of any development until sufficient capacity is provided. STW recommend that the Council uses appropriate conditions on planning applications to ensure that developers provide details of foul drainage that the Council would then approve.

In terms of *sewage treatment*, STW confirm that the sewerage network problems in Newport are not linked to the capacity of the existing sewage treatment works in Newport. Spare capacity exists for an additional 670 new dwellings within the existing discharge consent for the treatment works. The current treatment process is anticipated to have sufficient capacity for later development phases. Any additional capacity requirements would be provided on site at the existing treatment works. The impacts on air quality will be negligible.

With regards to *surface water management*, this should be managed on site rather than being discharged to the sewerage system or where necessary, restricted to “greenfield rates”. Such sustainability measures will reduce the demand on the existing sewerage network capacity.

In terms of *water mains system*, a study is underway for Telford as a whole, which will report in late summer 2012. It is anticipated that STW along with TWC will manage the impact of new development. Water consumption is now being managed through the Code for Sustainable Homes Level 3 requirements. It is finally recommended that a Water Cycle Study be prepared by TWC for development across the Borough.

### **Natural England**

- No objection to the development proposals in relation to designated sites (International Sites and UK Sites of Special Scientific Interest (SSSI)).
- The site is within 5kms of the Aqualate Mere SSSI which forms part of the West Midlands Mere and Mosses (Phase 1 and Phase 2) Ramsar Sites,

but consider that either alone or in combination with other plans/projects, the proposals would not be likely to have a significant effect on the important interest feature of the West Midlands Mere and Mosses (Phase 1 and Phase 2) Ramsar Site.

- Public Water Supply and Foul Drainage provision - following meetings with Council officers, Severn Trent Water Ltd and the Environment Agency, it was confirmed that there were no significant environmental impacts from water supply of waste water treatment on Aqualate Mere and welcome Severn Trent Water's Position Statement.
- Hydrology - the proposal lies outside and downstream of the surface water catchment area of the SSSI/Ramsar site. However, still expect to see suitable building design and sustainable drainage systems as part of the proposals, perhaps as a condition.
- Air Emissions - there is unlikely to be indirect effects from vehicle related emissions due to the distance of the SSSI/Ramsar site from the development and the stand-off distance between major traffic routes. Careful design to maximise scope for access to town centre by sustainable modes of transport will play an important role in minimising unnecessary use of the car.
- Recreation Pressure – the current means of access to the SSSI/Ramsar site are such that the scope of increased visitor pressure is strictly limited. The development should ensure that open/green spaces resources are designed to facilitate access on foot both into town and into the wider outlying countryside.
- SSSI – the Newport Canal SSSI is located close to the Severn Trent Water Ltd's waste water treatment works. But based on the public water supply and foul drainage provision meeting (mentioned above) Natural England has no objection to the development as there are no significant environmental impacts from water supply or waste water treatment on Aqualate Mere Ramsar site or Newport canal SSSI.
- Protected species – Refer to Natural England's Standing Advice, so do not propose to comment further on protected species.

**Environment Agency** - support subject to conditions

Flood Risk:

- The proposed development is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Maps. Whilst development may be appropriate in Flood Zone 1, Table D1 of Planning Policy Statement (PPS) 25 states that a Flood Risk Assessment (FRA) is required for *'development proposals on sites comprising one hectare or above' where 'there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off'*.
- The proposed surface water system will drain to a public surface water system rather than an ordinary watercourse - confirmation will be required from Severn Trent as to the discharge location and rates of discharge.
- The applicant has derived a pass forward flow to show betterment on the 100 year plus climate change event for the site as a whole. They have calculated the existing run-off to the sewerage system and reduced that by 30% and applied this figure to the whole of the development. The drainage calculations submitted summarise how the site would perform with a pass

forward flow of 40l/s. Given that the existing site has a substantial area that is already developed this will offer an overall betterment, although at a later stage the detail results for the relevant events needs to be submitted to the approving body.

- The FRA does not include the drainage runs for the lesser events or make an attempt to fully size the connecting drainage systems, but provide storage through the site so that the connecting pipe systems deal with controlled flows.
- The FRA makes reference to an overland flood routing exercise to be undertaken for flood exceedance events. The applicant should note that this flood water should be controlled within the site.
- On the basis of the above we would be prepared to **support** the application, but recommend the following conditions and in accordance with the FRA prior to commencement on site: details of surface water drainage works; details of provision and implementation of a surface water run-off limitation; details of flood routing before layout design finished;

#### Foul Drainage:

- We would have no objection to the connection of foul water to the mains foul sewer, as proposed.
- The LPA must ensure that the existing public mains sewerage system has adequate capacity to accommodate this proposal, in consultation with the relevant Sewerage Utility Company.

#### Pollution Prevention:

- Developers should incorporate pollution prevention measures to protect ground and surface water - we have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which includes Pollution Prevention Guidance Notes (PPG's) targeted at specific activities. Pollution prevention guidance can be viewed at: <http://www.environment-agency.gov.uk/business/444251/444731/ppg/>

#### Export & Import of wastes at site:

- Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation.
- Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised.

#### Western Power Distribution

- For the 3 locations for proposed developments at Wellington Road, Audley Avenue and Station Road - there is spare capacity at our Newport primary substation located at Longford Road (next to Vauxhall Farm) and both 11kV feeders called "Longford Rd Tees" and "Ford Road/Vauxhall ABI".
- It will only be necessary to overlay part of the 11kV cables which will feed new developments and which are mainly located in the footpaths in the adjacent area. We will be dealing with requests to connect to our network as they come in from developers - do not predict any particular problems with this development area from WPD point of view.
- Regarding planning permissions which have already been granted for developments at Bromfield Road (TWC/2011/0179), Audley Road

(TWC/2011/0334) and Continuing Care Retirement Community (W2008/0934) WPD will deal with them in the same way as the 3 new applications which are being considered.

## **Primary Care Trust**

### **GP Surgeries**

- Taking into account the various housing applications (Wellington Road, Audley Avenue, and Station Road, Broomfield Road) and extra care off Stafford Road total possible additional patients, rounded up to would be 2,800 between now and 2024, assuming this is halved between each Newport GP Surgery (Wellington Road and Linden Hall).
- Wellington Road has 13 consult and 3 treatment rooms - future requirement based on above would be 11 consult and 3 treatment.
- Linden Hall has 8 consult and 2 treatment - future requirement based on above would be 10 consult 3 treatment. NB: Linden Hall patient list size also includes Harper Adams students who are seen at the Harper Adams branch surgery, which has 1 consulting room & 1 treatment room). The practice also has a branch surgery at Muxton (1 consulting room & 1 treatment room). Therefore Linden Hall Surgery provides a total of 10 consulting rooms & 4 treatment rooms from 3 locations
- Therefore this combined total of consulting and treatment rooms is suitable for the anticipated additional patients.
- circa 18,500 patients (existing and new) would require 13 consult/treatment rooms, so anything above this then additional consult and treatment rooms would be required if at only 1 location.
- The calculations/requirements above are based on the current guidance contained within the relevant Health Building Notice document *HBN 11-01 Facilities for Primary and Community Care Services*, which provides best practice on the design & layout for primary (GP surgeries) & community care premises and community hospitals.
- Therefore the overall impact of additional 2,800 patients on existing medical premises for both surgeries will be acceptable.
- But cannot comment on the actual services provided from these or the types of healthcare provision, for example extra care home facilities obviously will require a different level and type of healthcare requirement for those needed by patients occupying starter homes for example e.g. young families etc.
- Whilst the position of both practices above are currently suitable, healthcare standards and regulations however need to be met and premises kept up to date and with the forth coming CQC registration (April 2013) both practice premises will require some improvements and minor modifications in the future to ensure no non-compliances are encountered with CQC registration.
- With this in mind, could you consider providing some additional funding via the Community Infrastructure Levy.

### **Dentists**

- With regards dental provision in the Newport area, the area has 4 dentists and an oral needs assessment exercise would need to be carried out to ensure that sufficient number of units of dental access are provided

- Unlike GP surgeries, dental practices do not have boundaries and so patients can be seen at other practices within Telford and Wrekin and there are a total of 26 NHS dental practices within the Telford and Wrekin area (GP practice boundaries have also been discussed as being removed but timescales for this are currently unknown).
- We will now include this information within our *Aligning Health and Housing* document as well as our assumptions shown above - this paper is shared both with the council, all Telford and Wrekin GP practices and the Clinical Commissioning Group who will be replacing the PCT for commissioning most of the healthcare services.

**Shropshire Fire Services** - Comments summarised below:-

- It will be necessary to provide adequate access for emergency fire vehicles. This issue will be dealt with at the Building Regulations stage of the development. However, the Fire Authority advises that early consideration is given to this matter.
- It has been identified that water supplies for fire fighting purposes will need to be provided on the development to ensure adequate fire safety measures. This can be achieved by the provision of fire hydrants on new or existing water mains or by other satisfactory means. It is recommended that these requirements are designed in by the developer at an early stage especially where new water mains are to be laid.
- It is recommended that consideration is given to the installation of a sprinkler system that conforms to the 'BS 9251:2005 - Sprinkler Systems for Residential and Domestic Occupancies - Code of Practice' published by the British Standards Institute.

**Chetwynd Aston & Woodcote Parish Council** - has strong objections to this application:-

- It is contrary to planning policy in that it is a Greenfield site, and no Greenfield site should be considered until all the Brownfield sites in and around Newport have been developed.
- The Local infrastructure would be unable to cope with such a large development.
- The local roads would be unable to cope with the huge increase in traffic.
- The construction of a large out of town supermarket would have a detrimental effect on Newport High Street, and on the existing supermarkets.
- Newport is a traditional Market Town and this huge development would change its character for ever.
- This development would also remove the green space that separates Newport from Church Aston and take away the identity of the independent Parishes of Church Aston and Chetwynd Aston & Woodcote.
- This huge development is for more houses than are required by local housing targets.
- This is a small rural parish with only 401 people on the electoral roll.
- The Parish's housing needs are low and can be met by infill development over time.
- The proposed scheme would increase the number of parishioners by 100% in one go.

- If Telford has a housing need within the Borough, then houses should be built on brownfield sites closer to employment sites.
- To allow this development would change the parish beyond recognition.

**Church Aston Parish Council** - Object on the following grounds:-

Superstore:

- The proposal appear to be contrary to planning policy, they do not offer sustainable development, and are at odds with Telford & Wrekin Council's objectives of promoting tourism & regenerating Newport as a traditional market town.
- The traditional market town of Newport and the High street will be affected with the proposed new superstore selling a wide range of products & services, which would undermine the economic viability of local shops causing irreversible damage.
- A planning inspector supported Telford & Wrekin Planning Dept's opposition to a supermarket application on a smaller scale at Mere Park – it was recommend that Newport needed an additional discount food retailer (Lidl or Aldi) on or near to the High Street (not an edge-of-town 'superstore');
- There are many examples where edge-of-town retail developments have contributed to a loss of local retail traders and decline of market towns (e.g. Market Drayton and Oswestry)
- Conversely, in-town developments in Ludlow and Bridgnorth have helped revitalise these local market towns;

Housing:

- Brownfield sites should be used for development before Greenfield sites. There are many suitable locations in Newport and yet this application is looking at Greenfield sites only.
- This development would remove green space that gives a buffer between existing residential and industrial areas;
- The identity that divides Newport from Church Aston will be lost as the green spaces will be removed that separate them;
- This application and other proposals mean Newport will substantially exceed local housing targets;
- The generated traffic would add to existing congestion at peak times in Newport and on junctions around the town, and those towards Telford, Stafford & Wolverhampton;
- The existing services such as clean water & sewers, and utility services would be overloaded and unable to cope with the scale of additional demand;
- Rain water run-off is quicker on hard paved areas such as roofs and drives and will add to a risk of local flooding.

Employment Land & Jobs:

- Additional employment facilities within Newport would be welcome; however there are vacant employment premises on commercial / industrial sites in Newport and Telford (most notably Hortonwood) which have stood vacant well beyond the current recession. So where is the evidence that there is a demand for additional industrial units?
- Apart from construction workers (short-term) and the supermarket, how would there be an increase in jobs?

- There is no mention of the jobs that will be lost due to the local retailers, banks, building societies and other valued local services on the High Street closing due to loss of trade;
- Superstore profits will not be reinvested in Newport.

**Newport Town Council** - comments summarised below:-

- The scale of the development appears to out of proportion to the LDF recommendation of 60 dwellings per year, when measured with existing planning applications recently granted at Audley Avenue TWC2011/0334 - 61 dwellings, Broomfield Road TWC2011/0179 - 30 dwellings, Upper Bar TWC2011/0285 - 9 dwellings, Tan Bank TWC2011/0602 - 3 dwellings.
- Should be more provision of smaller 1 and 2 bed houses as opposed to larger dwellings, to cater for single occupancy and first time buyers.
- Fear that with the downturn in the current economic climate, and the caveat of a phased development, should planning approval be issued, the initial infrastructure will be created prior to any commencement of building, thus the establishment of a Brown field site from a current Greenfield site.
- Supportive of development for mixed use business and industrial units by the provision of more employment in Newport that need to be 'fit for purpose'. However fear that there is no guarantee that they will be constructed as the application suggests they will be built on a 'design and build' basis when required. Members would like to see any existing business that will be lost in the planned demolition given the opportunity to re-locate to new units within the town.
- Acknowledge provision of extra care housing which could provide an opportunity for 'downsizing' and sustainability of this part of the application, by means of the potential for future employment opportunities in the private care sector. However, the location is considered to be wrong as it is some considerable distance from the health and welfare facilities of the Town.
- Apprehension as to flooding, run-off of surface water and displacement by the increase in concrete on all Greenfield areas needs careful deliberation.
- Careful consideration needs to be given to the new road layout and access into the site.
- The A518 is already a very busy road at peak traffic flow times and there is a perceived potential accident spot from the Church Aston junction, both with access and egress to The Close and further along to the Station Road, Sheep Island, Chetwynd Aston junction. This would be exacerbated with the introduction of significantly more traffic in the vicinity. Therefore request that the planning authority defer in favour of the local knowledge of residents as opposed to computer modelling.
- It was noted on all the large scale planning applications that there were assumptions made on the LDF post 2016 when in fact there is no agreed policy beyond 2016.

**Internal Telford & Wrekin Council consultations**

**TWC Drainage engineer** - Support subject to conditions relating to:-

- Drainage system must comply with the FRA and Drainage Statement, including that any areas designated as brownfield should demonstrate a 30%

reduction on existing runoff rates and any attenuation features must be capable of dealing with all flows up to and including the 1 in 100 year (+30%) storm event.

- There are known issues with high groundwater levels which may affect the proposed SUDS features, so details and mitigation measures will need to be submitted to ensure satisfactory drainage of the site and avoid flooding.
- Details will be required of flood routing for exceedance flows above the 1 in 100 year (+30%) storm event, and dry access/egress routes should be submitted.
- May need to submit details of the possible proposed improvement works to the public sewer network to ensure satisfactory drainage of the site and avoid flooding.
- Details on how discharge public sewer network in Richmond Close and how this will affect the proposals and any alternate points of connection are required.
- Once detailed designs drawn up submit revised drainage calculations to confirm no adverse effect on Millwood Mere.
- Submit details of location of an existing 450mm diameter surface water connection to the public sewer network in Wallshead Way.
- In detailed site layout, submit details of appropriate easements and their ownership.
- Submit details of future ownership and maintenance of new pumping station to serve the west parcel.

**TWC Geotechnical Engineers** - Support subject to conditions relating to:-

- High ground water levels - this must be considered when designing the foundations and BRE Protocol 1 must be followed especially in relation to high ground water.
- Land contamination condition (B30) is also required.

**TWC Parks & Open Spaces** - comments summarised as follows:-

- New residents to the area will increase demand upon the existing recreational resource and the development proposes a number of properties which will contribute to the need of recreational facilities for the area.
- The proposed development will meet the trigger to provide an on-site NEAP (Neighbourhood Equipped Area of Play) in accordance with WLP policy LR6. The Council's adopted play strategy definition for a NEAP includes 2 areas of approximately 1000m<sup>2</sup> identified for children's play / recreation - one for an equipped area of play for older children and another for a hard surfaced ball court - and the provision of wheeled sport (BMX track or Skatepark).
- The application refers to children's play areas (plural) throughout supporting document, but there is only specific reference to a NEAP. These play areas are not clearly identified on the master plan but as the site is located in 2 separate areas it is expected that an equipped play area would be located in the northern area if the NEAP is not located centrally.
- The development proposal should look to provide a **central** on-site NEAP (with hard surfaced ball court, seating / shelter and wheeled sport) or a NEAP (as described above) in the southern area and a LEAP (Local Equipped Area

of Play) in the northern area - a NEAP should be a minimum of 1000m<sup>2</sup> and not 800m as proposed.

- A NEAP needs to be 30m from residential boundaries and LEAP 20m from residential property and these need to be accounted for in any detailed proposals.
- Welcome the provision of a new landscaped park.
- The detail of the design of the open spaces within the development (and any off-site proposals (e.g. NEAP)) will need to be agreed particularly as it is proposed by the developer that the council adopt these open space areas or already owns.
- There are a number of issues arising out of the current proposed design.
- Have concerns relating to the adoption of swales and attenuation basins/pools which have proved difficult to adopt in the past.
- There is a huge amount of Public Open Space proposed that is anticipated to be transferred to the council - this amount of open space is likely to incur a considerable amount of management which is likely to require a significant commuted sum for maintenance.
- The S106 Heads of Terms do not highlight specifically what they are to do or highlight the costs associated with these works which would highlight whether sufficient funding has been set aside to meet the obligation - concerned that the developers have not set aside sufficient funding to maintain the significant amount of POS proposed and given the high spec design and proposed management regime.
- There is also a proposal of an All Weather Pitch (AWP) which Leisure services will comment upon, but understand that this is not the priority for sports in the area. Confirmation needs to be clarified as to whether this is to be part of the school and as usual with school boundaries security fenced as there is mention of shared use - It is not clear as to who is to manage this highly expensive facility which would likely to incur a high commuted sum should the council be proposed to manage.

Should planning permission be granted, the following is required:

- Condition relating to the approval of open space / landscape detail by TWC prior to starting development to ensure appropriate landscape design.
- Condition relating to confirmation of the timing of implementation of the NEAP/ LEAP/POS.
- Condition relating to no overlooking housing being sold prior to the NEAP/LEAP being built.
- Condition relating to the requirement of a Landscape Management Plan (identifying the proposed ownership / management and maintenance responsibilities for after implementation to ensure continued use of the public open space and provided in association with the landscape detail.
- A S106 relating to the future adoption by the council of the open space is agreed prior to the start of development (and not prior to submission of the detailed application / reserved matters). The reason for this is that accurate commuted sum costs for maintenance cannot be accurately provided based on illustrative drawings. However, P & OS also wish to confirm more detailed Heads of terms in regard to details of the obligations / sums for off-site contributions as part of an approval for any reserved matters. This is so that

this can identify the true scale of community benefits associated with the proposed development which are not clear at this stage. Alternatively, a S106 could be agreed as part of this application, should an agreed set of standard commuted sum costs for the adoption of POS elements be applied to the agreement and until the detailed plans are available to calculate the sum more accurately. The S106 should reflect the timing proposed within the implementation programme highlighted above.

## **TWC Ecology officer**

### Flora

- It appears that the botanical interest of the site is higher than was noted in the survey. The pond also supports a greater diversity of species than the survey recorded, including water-purslane, a species which has not formerly been recorded in the borough. I think there needs to be further investigation of the floral diversity of the site and an updated assessment of its value.

### Bats

- The report needs to demonstrate that 2 emergence surveys using 2 surveyors on a site of this size is a sufficient level of survey effort to confirm absence of roosting bats on the site. Suggest a justification of the survey effort is provided, with reference to the Natural England Standing Advice.
- Several of the mature trees were assessed as having a high potential for roosting bats. No bats were seen to emerge from the trees during the survey, but it is unclear from the survey report whether detailed visual inspection of these trees have been undertaken to confirm presence/absence of a roost.
- The bat activity surveys show use of the site by bats for foraging but the report lacks an assessment of the impact of the development on bats or any recommendations for enhancement.
- The mature trees with bat potential and areas used for foraging/commuting should be retained.

### Great Crested Newts

- The report states that “the ponds were only considered to have limited suitability for common amphibians”. More information would be useful, e.g. Habitat Suitability Indexes. In addition, Roy Fussell, in the attached email, recorded two common frogs in the western pond (Target Note 4 in the Phase 1 Habitat Survey).
- There are a number of ponds visible on the GIS in the surrounding area. Whilst the road is a barrier to most of them, their presence should be mentioned in the report, and the pond 100m to the NW of the site may require investigation.

### Reptiles

- The Phase 1 Habitat Survey states that “no reptiles were seen during the site visit, but an area next to the industrial estate, at the edge of plantation woodland, appeared to have some potential. Here a number of log piles were present along with pockets of scattered scrub “. It is unclear whether these areas were investigated for reptiles and whether the ecologist believes the development will not impact upon them.

### Invertebrates

- There are habitats on site that are suitable for invertebrates but no consideration has been given to the potential invertebrate assemblages on the site.

#### Mitigation and enhancements

- Habitats and ecological features outlined in the reports should be retained, restored and enhanced as part of the development. The reports should be used to inform the development's design, landscape plan and management plan.
- If mature trees, woodland, hedgerows, standing water and scrub are to be lost as part of the development then further information will be required to assess the development's impact on these features and provide details of how adequate mitigation and compensation will be provided.
- Development proposals should demonstrate how they contribute to Shropshire Biodiversity Action Plan (LBAP) targets. For example there are ponds on site and the Standing Open Water Habitat Action Plan has a target to replace ponds unavoidably lost through development on a two for one basis
- Other enhancements, e.g. erection of bat and bird boxes, should be incorporated into the final scheme, and a lighting strategy should be produced so that the northern hedgerows (important bat and bird foraging and commuting features) are not adversely affected.

#### TWC Education

In acknowledgement of the number of large residential planning applications currently being considered by the LPA, TWC Education has prepared a "Position Statement" as updated in July 2012. In summary, the following represents their position:

The Newport area at secondary level is served by:-

- Burton Borough secondary school (LA maintained)
- Adams Grammar School (Academy)
- Newport Girls High School (Academy)

As at July 2012, there is an oversubscription of pupils of over 3% in the Newport area at secondary level. This is set to continue for the foreseeable future.

The following table details our 6 year projections for the maintained secondary school and includes housing currently under construction, strategic sites, and the following developments: Wellington Road, Audley Avenue, Station Road and Maynard's Croft.

<b>Total Newport Area</b>	<b>2012</b>	371	363	374	373	385	216	196	2278	<b>2260</b>	<b>-1</b>
	<b>2013</b>	335	373	371	370	371	220	206	2245	<b>2260</b>	<b>1</b>
	<b>2014</b>	355	337	381	368	369	212	211	2233	<b>2260</b>	<b>1</b>
	<b>2015</b>	355	359	347	380	369	208	203	2221	<b>2260</b>	<b>2</b>
	<b>2016</b>	376	359	369	346	380	219	198	2248	<b>2260</b>	<b>1</b>
	<b>2017</b>	382	379	368	367	345	219	210	2270	<b>2260</b>	<b>-0</b>

As there are two grammar schools situated in Newport who take children from a very wide area, Burton Borough, as the only comprehensive school, takes the vast majority of secondary aged children living in Newport. Although the school will benefit from Building Schools for the Future funding, this is not providing additional accommodation, rather it is modernising and refurbishing current provision.

The Newport area at primary level is served by:-

- Church Aston Infant
- Edmond St Peters CE Primary
- Moorfield Primary
- Newport Infant
- Newport Junior
- SS Peter & Pauls Catholic Primary
- Muxton Primary
- Lilleshall Primary

As at July 2012, there is a surplus of primary places of above 5%, however projected within the next 5 years is a reduction in this surplus to under 5%.

In line with the Audit Commission's review on the supply of school places, "Trading Places: The Supply and Allocation of School Places" (published December 1996, reviewed 2002), a school should be considered to be at full capacity when at 5% surplus capacity or less.

<b>TOTAL S</b>	<b>Census Yr</b>	<b>Rec</b>	<b>Yr 1</b>	<b>Yr 2</b>	<b>Yr 3</b>	<b>Yr 4</b>	<b>Yr 5</b>	<b>Yr 6</b>	<b>Total</b>	<b>Net Capacity</b>	<b>% Surplus</b>
	<b>2012</b>	224	244	258	242	244	265	272	<b>1749</b>	1906	8
	<b>2013</b>	255	236	257	263	249	254	270	<b>1783</b>	1906	6
	<b>2014</b>	261	267	248	266	273	259	258	<b>1831</b>	1906	4
	<b>2015</b>	229	271	279	258	273	281	262	<b>1853</b>	1906	3
	<b>2016</b>	200	238	283	279	266	281	284	<b>1832</b>	1906	4
	<b>2017</b>	234	208	249	290	288	274	284	<b>1827</b>	1906	4

Not all proposed housing for the area is included in this 5 year projection. This includes all sites under construction, strategic sites and all know housing as at July 2012 (including Wellington Rd, Audley Avenue, Station Rd and Maynard's Croft). Much of the planned housing is set to be provided beyond this 5 year period, therefore the percentage surplus is likely to decrease still further.

The projections provided were completed June 2012. Data is updated annually therefore it is expected that projected numbers for both primary and secondary school will be updated between March and May 2013 for the whole Borough.

The Primary schools included which are located in the rural area outside the Newport town boundary tend to attract applicants from the Newport urban area. These pupils tend to be the nearest children outside the rural schools' defined attendance areas, and as such get priority over other children living further away.

Parents are able to express a preference for any mainstream school, and if there are places available the school are obliged to offer them a place. If a school is going to be full, the admissions authority have to then apply the published admissions criteria to decide which pupils will get places. When schools are full parents have the right to appeal to an Independent Appeals Committee who can decide to place a child over the admission number.

Some schools, for instance Moorfield Primary, are oversubscribed with pupils who are from outside their own attendance area, but are still living within Newport. If development is located in close proximity to such a school, then the pupils generated by the new housing will displace those living further away but who are still within the Newport boundary. These pupils will then have to seek places either at their own local Newport school or schools outside of the area. In these cases, it may in fact be necessary to provide additional accommodation at schools which have no new housing development within their own geographical attendance area in order to ensure that there are sufficient places.

An Education contribution calculation has been provided using current numbers and based upon an average 3.35 beds per dwelling for the following sites:-

- Wellington Road - @ 285 houses (TWC/2011/0821);
- Audley Avenue - @ 215 houses (TWC/2011/0827);
- Station Road - @ 350 houses (TWC/2011/0871);
- Maynards Croft - @ 33 houses (TWC/2012/0211).

The total contributions being required allowing for surplus provision is £1,216,036 in respect of Primary School provision and £960,160 for Secondary School provision with a combined contribution of £2,176,195. The combined cost per dwelling for all of the four developments is £2,464.55p. The Council would not be seeking an education contribution for the Wellington Road application if this is the only development that proceeds.

Ideally, the Local Authority would want to provide accommodation before need arises, particularly as Newport is somewhat isolated geographically and it is undesirable for very young children to have to travel to access reception class provision.

In the current financial climate it is no longer possible for Local Authorities to 'bank roll' schemes pending receipt of Section 106 contributions on the completion of sites. Education would seek to negotiate when the release of funds would best suit the Council and the developer. Considering the limited options for Newport residents in accessing out of area places, we would require 50% upon commencement of development, 25% on 25% occupancy, and the remaining 25% at 50% occupancy.

As with other education contributions, we would expect the agreed sums to be subject to indexation to ensure future value is not eroded by inflation.

### **TWC Housing Policy & Enabling Officer**

In light of the three large planning applications in Newport, a joint Affordable housing

needs report was undertaken for Newport. The need for 35% affordable housing in Newport is supported by information from the following sources:

- Strategic Housing Market Assessment (SHMA)
- Telford & Wrekin's Choice Based Lettings scheme
- 2005 housing needs summary
- A profile of the existing affordable housing stock
- A profile of the current housing market
- A profile of the population of Newport

This information supports the need for a high level of affordable housing provision in Newport, and shows that this need has increased over the last decade. The rise in property prices, together with consistently low incomes and difficulty in obtaining mortgages even when house prices have fallen, has led to the current situation where local people, particularly young couples and families have left the town to find accommodation elsewhere or remain in overcrowded and unsuitable accommodation. There are also many older people who need alternative accommodation.

The SHMA, updated in 2009, showed that 124 dwellings are required each year over a 20 year period to meet the needs of Newport residents. This is considerably higher than the need shown in the 2005 housing needs summary and takes into account the lack of suitable existing provision and the backlog need.

Data from the Choice Based Lettings scheme shows a high level of bids for properties in Newport from local residents as well as applicants from a wider area. An analysis of bids over the last five years shows that the greatest need for local people is for three-bedroom houses and two-bedroom bungalows for rent, with lesser degree of need for two and four-bedroom houses for rent. In terms of tenure, the evidence points to a need for mostly rented accommodation with very little evidence of local demand for shared ownership.

Data regarding the existing social housing stock shows that there are very few two and four-bedroom houses, and only one of each has become available in the last twelve months. Although there is a higher number of three-bedroom houses, the waiting time for these is seventeen months with only three having become available in the last twelve months.

Local Estate Agents have confirmed that the "lower end" of the housing market in Newport is not moving. There are several properties which, despite a reduced asking price, are not selling, largely due to the difficulties in obtaining mortgages and the level of deposit required. Estate Agents do however receive a high level of demand for rented accommodation particularly from young families who wish to remain in Newport.

Data regarding the population of Newport shows that approximately 30% of households fall into categories which are highly likely to have incomes of less than £30,000 per annum and would therefore be unable to afford to buy.

It has been difficult to achieve increased affordable provision in Newport, as most of

the sites which have come forward over the plan period have been below the 15 unit threshold for affordable provision. Any provision which has been achieved has mostly been on small infill sites, and there have been an average of only seven affordable completions per annum over the last seven years. Opportunities such as these large schemes are therefore critical to meeting the long term affordable needs of the town and its rural hinterland.

In conclusion, it was clear through the Core Strategy process that 35% affordable housing provision would only address a proportion of the affordable housing need in Newport. In reality, in order to meet the backlog of affordable need in the town as well as newly arising need, a greater percentage would have been required.

It is also clear from the 2009 Strategic Housing Market Assessment that the need has increased and the affordable housing shortfall has worsened. It would therefore be essential to achieve 35% on each of the three Newport proposals in order to help meet identified needs and enable local households to remain in the area.

As outlined above, the 35% required by policy is supported by evidence of need from a range of sources, therefore these three schemes in Newport would be required to provide no less than 35% affordable housing.

The greatest need is for three-bedroom social rented houses, with a smaller number of two and four-bedroom houses. There is also an identified need for two-bedroom bungalows and for a small amount of wheelchair standard provision for all household types and sizes.

The suggested proportion of shared ownership is 20%, as recommended in the Strategic Housing Market Assessment. There are no indications from the evidence available that there is a market for a greater number of shared ownership for existing residents of Newport, given the on-going issues with mortgage availability.

Within the required 35% provision, the following proportions of house types, sizes and tenures would best meet identified affordable housing needs in Newport:

Social rented = **80% of total affordable provision**

2 bedroom 4 person houses – 20%

3 bedroom 5 person houses – 30%

4 bedroom 7 person houses – 7%

2 bedroom bungalows for older people – 20%

Full wheelchair standard properties – 3%

(For older and/or disabled people of any age. These could be 2, 3 or 4 bed sizes and could consist of houses with a lift, or bungalows - ideally a mix of both)

Shared ownership (depending on market) = **20% of total affordable provision**

2 bedroom 4 person houses – 15%

3 bedroom 5 person houses – 5%

**TWC Aboricultural officer** - Support subject to conditions and comments summarised below:-

On land to the west of Station Road

- The majority of the trees lie on the North West of the development site.
- Seven houses have been proposed for the West corner of the site.
- There are two groups of trees along this boundary (G16 & G17) which are in private ownership - the heights of these trees vary from 10 to 16 metres and if houses are constructed along this boundary there will be light issues with regard to the loss of evening sun.
- A couple of the trees are Sycamores therefore honeydew would be a foreseeable problem.
- Also a duty of care to the home owners which does not currently exist - preferably this area should become a smaller area of Public Open Space and the houses moved into an area where there is no predictable conflict.
- There are a group of TPO'd trees (T53 – T58) that are growing within the garden of 13 Highfield, Church Aston.
- There are 5no. Lime trees which have all been classed as A3 in relation BS: 5837 of 2005 - the trees are due south of 2 proposed dwellings therefore shading will be an issue, which in turn could lead to applications for reduction works.
- Limes are synonymous with honeydew which could affect the gardens of the houses for up to 6 months of the year, detracting from the reasonable enjoyment of the property.

#### On land to the east

- The illustrative Master plan shows that adjacent to Lime Tree Cottage, in the Southern area of the site, the applicants intend to construct 17 dwellings. Due south of the proposed dwellings are a group of 6 TPO'd trees all of which have been categorised as A2 with regard to BS; 5837 of 2005. If the houses are to be constructed in this location, there will be applications for works to the trees with regard to light issues, which in turn could see the amenity value of the trees reduced.
- The Eastern corner of the site adjacent to the Countrywide store has 3 Oaks growing along the boundary these have all been categorised as either A's or B's in relation to BS; 5837 of 2005. One of the trees is subject to a TPO (T19) there appears to be a lot of construction activity within the Root Protection Area of the trees along this historic hedgerow, development and access routes will need to be carefully planned in this area of the site, to avoid causing detriment to the trees.
- At the time of my site visit G11 appeared to be a copse of trees worthy of protection, upon closer inspection the majority of the trees have ring barked and vandalised by a chainsaw.
- T28, T29 & T30 are all growing within the grounds of Burton Borough School - they are 3 Oak trees which have all been classed as A2 in relation to the BS:5837 (2005) survey. There is a large soil bund adjacent to these trees which if consent is granted will have to be carefully removed so as not to damage the underlying roots of these near Veteran trees.

Given the above comments, if consent is granted then the following conditions should be imposed to the development site:-

- Details of new planting (B14); protection during construction (B15); details of earthworks round ponds and bunds (B16); management of public open space areas (B17 & B18); protective fencing during construction (B73)

- B73 Tree Protective Fencing, All trees that are to be retained on the site will be protected as per page 13, of BS: 5837 Trees in Relation to Construction – Recommendations 2005. The fencing will be installed on the site prior to the commencement of any construction, demolition or ground clearance. All the information can be clearly described in the form of a Tree Protection and Tree Constraints Plan which will be provided if the proposal is granted consent.
- B74 Tree Services Root Protection, Given that the area is affectively a blank canvas and the applicants are proposing to plant a number of trees along avenues and within open spaces, services should be ducted for ease of access, the use of root barriers, tree trenches and tree pits is heavily encouraged with forethought to future management to abate problems such as surface roots rupturing pavements and tree roots not disrupting services.
- B75 Trees No Dig Method, There a number of access routes that are proposed to run within the Root Protection Area (RPA) of retained trees, therefore, an Arboricultural Method Statement will be required for these processes e.g. roads & paths that run through the RPA of trees being constructed using load bearing materials that spread the weight of vehicles. The soil bund adjacent to the Oaks within Burton Borough grounds will need to be carefully removed a statement will required for this operation.
- B76 Tree Replacements, In mitigation for trees proposed for removal within the scheme we would require that they be replaced around the new proposal.
- B77 Tree Works, Although this condition is specified for TPO'd trees, as they are within private ownership it should be clarified at this stage of the application. The applicants are proposing to construct the dwellings in close proximity to the trees therefore inferring the duty of care to the existing private home owners. A number of tree work recommendations have been referred to within the Indigo Arb Survey.
- Ideally all tree works should be completed prior to the erection of the HERAS fencing prior to the commencement of any construction on the site, therefore, a full list of proposed tree works intended for the site should be submitted to the LA prior to full consent being granted.
- C07 Trees – No Burning.
- C08 Tree Soil Levels.
- C09 Trees Materials Storage.
- C10 Hedge Protection, All existing hedge rows that are proposed for retention should be suitably protected prior to the commencement of the development if approved.
- C12 Landscape Implementation Hard & Soft.

### **TWC Environmental Health (Contaminated Land)**

The proposed petrol filling station will require an environmental permit and a petroleum licence prior to operation.

There are two known landfill sites within proximity of the development, which pose a constraint to the development.

The north eastern most part of the site is currently industrial land, which also poses a constraint.

A former railway and sidings with a goods yard is also featured on historical mapping.

Consequently, recommend that land contamination condition be imposed, should permission be granted.

## **Local consultation and representations**

### **Liberal Democrats – object**

- The three housing applications should be considered together, as the impact on the town and community of Newport is collectively far greater than the sum of the impacts of each one individually.
- The need for 850 homes and a supermarket in a town the size of Newport does not exist.
- A planning inspector recently opposed a supermarket - and a new one would have detrimental impact on Newport High Street and subsequent loss of jobs.
- The ability of local infrastructure and services to cope in the influx of people is questionable - the schools are already at full capacity, so where would new children go to school and there will be insufficient medical services to cope.
- There will be very few net additional employment opportunities created.
- The new houses will be bought by people coming new into the town who will find employment in other urban areas, so the development will generate more car travel as public transport is not an option for most people - this then limits the purported advantages of expanding Newport's population.
- The roads are already choked with traffic at beginning and end of most days - the extra cars would generate chaos, with consequent health and safety risks to children going to and from the overcrowded schools.
- The development will result in the loss of green spaces between the centre and ring road, which is considered necessary to maintain the character of Newport.
- The loss of the green space would be a loss of the oases of natural beauty which are used by townsfolk and which create a positive impression of the area to passers-by and visitors.
- There are plenty of brownfield sites within 20 miles of Newport (some even within the town itself) that could be used for additional housing without the serious loss of wild and natural habitat.

### **Newport Regeneration Partnership - objection summarised below:-**

- The absence of a master-plan for Newport has led to an unacceptable and inappropriate piecemeal approach to development coming forward, and has denied the local community a voice in helping shape development of this traditional market town for the future. As a result TWC has failed to properly engage and debate with the local community, unlike the advice in the Localism Bill for neighbourhood plans and TWC's ambitions to become a cooperative council;
- The many brownfield sites in the town should be developed first as a more sustainable development option and consideration of any 'greenfield' site in or around Newport is premature;

- Inappropriate to consider this application in isolation to a number of recently approved housing schemes and other major proposals , because an incremental approach cannot properly take account of the cumulative impact of all proposals and will fail to mitigate their individual and combined effect.
- The proposed development appears to have been intentionally disaggregated from proposals made by the same developer as set out in outline planning application TWC/2011/0827 (Land at Audley Avenue) so as to reduce perceived scale & impact, and possibly to keep below a threshold that might lead to Call-in by the Secretary of State.
- Planning Application 0827 is not viable in access terms unless this application is approved i.e. they are integral and should have been a single application;
- The scale of housing development proposed in this and the other applications (0821 & 0827) is excessive and entirely disproportionate to local need.
- All the proposed developments will add to existing severe capacity issues in all utility services; will contribute significantly to more frequent and greater impact flooding of domestic dwellings due to faster run-off and poor sewer capacity; will increase traffic volumes and peak hour congestion; will increase risk of accidents for pedestrians and other road users, and will add further strain to local healthcare services;

#### Retail Proposals

- Scale of the proposed superstore is clearly beyond that needed to solely meet local needs thus not meeting a key criterion under policy CS6 - a town the size of Newport does not need, and cannot sustainably support its own superstore. particularly when there is a profusion of similar stores in its immediate vicinity
- Store will need additional consumer expenditure from outside the defined Newport catchment area (most of it from car borne shoppers) if it is to be viable/profitable, hence the store would be unsustainable and the impact on CO2 savings is over projected.
- Only a finite amount of consumer expenditure that can be spent on main food shopping, so in reality all a new store will be doing is competing for and deflecting expenditure from other comparable superstores outside of Newport, and from smaller supermarkets (e.g. Waitrose) and independent retailers in Newport high street.
- This would have a catastrophic impact on the high street, given the substantial number of linked trips (50%) identified in the consultants' household telephone survey - the proportion of linked trips likely to be generated by an out-of-town superstore would be minimal in comparison.
- Proposal will not meet many of the strategic objectives/policies outlined in the Core Strategy as it will not increase choice; it won't significantly reduce need to travel or CO2 emissions; won't support Newport's role as market town and won't improve social inclusion.
- The Council's refusal to allow the Mere Park retail development (upheld on appeal) was based on the argument that given its comparable size to existing food outlets it would undermine the viability of Newport's primary shopping area. Although the proposed superstore is of a completely different scale it is inconceivable that its impact would be any less, and intuitively would be much greater. The stated reason for the proposed superstore development is to improve the range and choice of food/non-food shopping in the Newport

catchment and so improve the overall 'Newport retail offer' and thereby ensure the longer term viability of the town/town centre. The assertion that this will not significantly impact on the existing convenience and comparison retail offer in the High St is clearly fatuous; it will most likely lead to a significant net diminution of the retail offer not its enhancement.

- Policy CS6 states that all development (in Newport) will respect and enhance the quality of the town's built and natural environments - the siting of a superstore 'shed' of this scale on greenfield land at such an important entrance to the town, is both visually and environmentally damaging.
- The Council's Retail Study (updated in 2009) does not identify a need for a store of this scale and the Mere Park inquiry supported the need for a low cost food outlet within the town centre (to improve accessibility/social inclusion), not a superstore on the periphery.
- The draft NPPF maintains the 'town centre first' approach so the proposal will be contrary to current & emerging planning policy guidance.
- There are many examples where edge-of-town retail developments have undermined the local economy e.g. Market Drayton and Oswestry, Oakengates
- In contrast both Ludlow and Bridgnorth have secured in-town supermarket developments that have helped sustain and possibly increase footfall providing wider benefits to their local economy.
- Whilst there will be some job creation, there is likely to be loss of jobs elsewhere
- The majority of shopping trips will continue to be made by car, given that the superstore will encourage bulk food purchase rather than top-up, and the provision of an enhanced service to be provided by the Council's number 17 and 18 Integrated Transport service (not Arriva) is not likely to be viewed as a realistic alternative mode of transport.
- Increase in on-line shopping and fuel prices will further reduce need for superstore.
- Conservation Area in the high street will be adversely affected as existing shops are likely to close and premises lie vacant.
- Businesses are already struggling to survive, so will close if there is even a marginal reduction in footfall arising from the proposed development.
- Would welcome TWC working with the NRP and other community based organisations in Newport to prepare a brief for a jointly commissioned and truly 'independent' retail assessment.

#### Housing Proposals

- Due to the scale of the development, the Council should consider all 3 greenfield housing sites together.
- Determining Station Road is premature in a planning void with no Local Development Plan for Newport or the wider Borough, and development is being planning application led, with speculative developers looking to optimise draft Gov. planning policies.
- Concern that sites are mothballed until upturn in the economy, but environment already spoilt by then.
- The fact that TWC, along with many other local authorities, has failed through lack of sufficient planning resources to meet its targets in developing the suite

of Development Plan Documents should not mean that Newport & Church Aston should now suffer.

- Any new housing in Newport must be justified in terms of meeting local housing needs rather than speculative development led and the housing market has caused.
- Newport's relative underperformance in meeting assigned housing targets over the past 4 years has been due to the prevailing housing market conditions rather than a lack of supply of potential housing sites - the focus has been and should remain on meeting Telford's housing targets.
- It is evident that the planning system in T&WC has systematically failed over a 10 to 15 year period to secure sufficient affordable housing.
- With 240 properties currently for sale within Newport and its immediate environs and the depressed state of local and national housing markets where is the demand for homes in Newport likely to come from?
- Local housing demand (other than for social renting/affordable housing) is likely to be insufficient to require the level of house building that would be generated by these large greenfield developments, and so this would imply that prospective purchasers would need to come predominantly from outside the local area.
- The Station Rd proposals do not include sufficient employment generation opportunities to satisfy the need for jobs from this in-migrating population, so the net effect will be a substantial increase in out-commuting to work that will serve to exacerbate an already unsustainable journey to work situation
- It is essential that the vehicular impact of the Station Rd proposals on the local transport infrastructure are not be assessed in isolation from the impacts of other proposed housing developments.
- The Environmental Statement includes an assessment of the likely socio-economic implications of 'a population increase beyond that planned for in the Development Plan'. It concludes that there is current spare capacity within local primary (but not secondary) schools and also within local GP practices and dentists. With a potential increase of 25% in the number of houses and population it is essential that an assessment is made on the overall impact on the community infrastructure.
- Development will have adverse impact on the local landscape and 'a significant urbanising effect on Newport' and need to consider cumulative affect with the other schemes.
- The proposed housing will also lead to the loss of a separate identity for Church Aston.
- Government's Plan for Growth and PPS4 states that there needs to be a strong emphasis on delivering development 'which will stimulate the economy, whilst delivering the needs of local communities'. In our view the proposals do not meet these criteria.
- No development should take place until the Council has a robust Local Development Plan in place.
- The current proposals are speculative and opportunistic and not in line with the needs of local people, neither now nor in the future, thus failing the critical sustainability test.
- There will be an overall decline in the quality of life enjoyed by people who have chosen to live in the Newport area because it is a 'market town' and who

would like it to remain that way, and not, as a result of this and other proposed large scale developments, become an 'out of town' urban extension of Telford.

- Agree with the recent definition of 'unsustainable development' offered by the current Secretary of State DEFRA as '*housing estates bolted on to the village where you live, where the infrastructure can't cope*', and assert that this statement perfectly embodies the current proposals for Station Rd, which therefore should be rejected.

### **Newport & District Civic Society**

- On TWC/2011/0827, it would appear that from the report provided by Halcrow, that they have been asked to consider what further traffic flows from other 'Committed Development' applications may have consequences for application 0827 only as regards the application for the food store under TWC/2011/0632. Given the proximity of application TWC/2011/0871 this is clearly wholly inadequate given that the volume of increased traffic from 0871 will be massively in excess of any from 0632 as is shown by the Transport Assessment from Phil Jones Associates Ltd in 0871.
- Given all three applications will have traffic flows to and from the same highway the omission can only be assumed to have been made to try and maintain 'the fiction' that 0827 and 0871 should not have formed one application.
- We are disappointed that the pre-application reviews did not bring forth an objection to this from T&WC Planning Officers.
- We submit that for either of 0827 or 0871 to actually operate as schemes with viable traffic flows, which they will seek to have the bus gate on Audley Avenue removed. Given the presence of the schools this is simply not acceptable and explains why under earlier proposals discussed with Borough Council representatives from the previous administration i.e. that in place before the last Borough Council elections in May 2011, the proposals then under consideration related to moving the schools to another part of Newport.
- On the basis of the inadequacy of the report from Halcrow for 0827 as identified above, we submit that approval should not be granted.
- As regards 0871, we request that before the Plans Board are asked to consider the application, that details of prior discussions re. the proposed move of the school sites should be made known - if not, then 0871 should also be rejected as regards the consequences of the potential removal of the bus gate on Audley Avenue.

### **Newport History Society**

- This is to advise you that, in case you missed this in our previous report of objections, the Black Butts field ( aka pony paddock) is now a Heritage Environment Record (28110-MSA30867), recorded with the Sites and Monuments Record at Shrewsbury C.C. Offices.
- This record should be treated as a 'Heritage Asset' (see Planning Policy Statement 5 - Planning for the Historic Environment 2010)

### **Save Newport Campaign**

Foul Sewerage

- The existing foul sewerage system in the old town is combined sewage and surface water and is already overloaded.
- In storm conditions there is foul flooding of streets and gardens and internal flooding of properties is known to have occurred in the past.

#### Water Distribution

- Newport has only one reservoir for the storage of potable water and that is at Chetwynd Park to the North of the town - from there, water is distributed around the town and there are frequent complaints of low pressure.
- The proposed development will result in substantial additional demand at the extremities of the system to the South, exacerbating the existing flow and pressure problems.

#### Surface Water Drainage

- We note that it is proposed to 'manage' the problem of rainwater run-off within the site, restricting discharge from the site to 'green field' rates of flow.
- This approach involves the use of 'sustainable urban drainage' techniques, which includes on-site storage ponds or underground tanks, to attenuate flows in order to simulate the existing natural drainage of the site.
- We have written previously to Members of the Plans Board and the Head of Planning raising our concerns at the use of storage ponds around Newport - we question their effectiveness on the marshy ground present at the proposed site, where there is also a high water table.
- The lack of emergency overflow arrangements, the need for regular inspections and maintenance and the safety implications of small, steeply sloping pond edges containing water subject to rapid changes in level within residential areas, also raises concerns.
- Storing storm water in residential areas is risky because sooner or later a storm will occur when the pond is already full, or the outlet blocked by debris. This would then risk the flooding of properties which could have serious implications for residents and property owners. There may also be serious legal implications for the Council.
- We are concerned at the proposal that storm water falling on the development site to the west of Station Road will be routed through Millwood Mere. Apart from application TWC/2011/0916, it appears that the housing development to the west of Station Road which is included in application TWC/2011/0871, may also be drained into Millwood Mere, or a culvert downstream of the Mere. We note that the Flood Risk Assessment and Drainage Strategy does not consider the effect on the pipelines, culverts and open channels downstream of the Mere, including those through the Grove Farm site. We are aware that the Environment Agency has already raised concerns about increased flooding in Boughey Road as a result of the Grove Farm proposals. These concerns were raised before the proposals to include surface water drainage from the Station Road sites came to light; proposals which will only make matters worse.
- Whilst storage ponds will attenuate the flows, the effects of the piped system, for a given rainfall event, will be to put more water more quickly through the Mere than at the present time, because much less water will soak into the ground due to the development.

- Although the Mere is generally below natural ground level, it is possible that in storm conditions, an obstruction in the outlet pipe, combined with a lack of any emergency overflow could cause a rise in water level. We note that in the FRA the freeboard is sometimes as little as 370mm. In these circumstances the fact that there are houses close to the Mere on three sides poses a risk of property flooding which is unacceptable.
- Although it appears that the Mere is not subject to the requirements of the Flood and Water Management Act 2010, we believe that because of the changes made to the Mere about 30 years ago by the housing site developer, the Council should appoint a qualified Panel Engineer to carry out a survey of the site and produce a report, which should be made available to the public, on all aspects of its proposed future use. This is needed to ensure the Council complies with the Law enshrined in the Act and to reassure local residents who may be alarmed at the proposed change of use.
- The new inlet and outlet structures related to the change of use of Millwood Mere will presumably be the subject of a planning application.
- To summarise, these drainage proposals represent a questionable theoretical solution to a drainage problem, but they do not take account of things going wrong. In real life, pipelines and control structures do not always work perfectly; they become obstructed by debris, usually during a dark, wet night. The situation then deteriorates very rapidly until the alarm is raised, by which time damage has been caused. In this case, the damage may not be limited to properties around and downstream of Millwood Mere, but could easily extend to other areas of the Town located close to the existing drainage system.
- Severn Trent is carrying out a detailed investigation of the entire network to determine the extent and cost of the engineering works needed to deal with the above issues and create sufficient capacity for the proposed development.
- The financial implications of this work are likely to be substantial and highlight the need to implement the Community Infrastructure Levy, to ensure the Developer contributes to these costs, thereby reducing the charges to the general public. Planning approval should not be given until these matters have been resolved.
- It should be noted that this issue does not arise in Telford where much of the water services infrastructure for future development has already been provided at the taxpayers' expense.

Letter from Barton Wilmore acting on behalf of Waitrose summarised below:-

- Waitrose has operated a store on Audley Road since 2004 and is the largest single unit in the town centre (2,046sqm net / 3,475sqm gross)
- It acts as an anchor store providing main food shopping destination for Newport residents and its wider hinterland.
- The store plays an important role in underpinning the trading performance and attraction (in retail terms) of Newport town centre.
- Concerned about impact on the store and the wider town centre.
- Proposed supermarket is contrary to Core Strategy in that it will serve a wider area than the needs of Newport and its rural hinterland.
- The Council's Retail Study Update (2009) does not identify a "need" for a store of this size.

- Compliance with the sequential test has not been demonstrated.
- The combined effects of other food store scheme in Newport have not been assessed.
- It will have a significant adverse impact on Newport town centre.
- The proposed store is not accessible by a choice of transport modes and further details of extension to bus service are required.
- Proposals are therefore contrary to Core Strategy CS6, CS9 and PPS4.

**Letter from NJL Consulting acting on behalf of The Co-Operative.**

Very lengthy letter, which is summarised from their conclusions and summarised below:-

- The Co-operative Group is a key town centre investor in Newport, which are involved in the progression of both the Station Rd and Audley Avenue supermarket applications.
- Have submitted a formal holding objection requesting that the determination of the Audley Avenue and Station Road applications be postponed until the outcome of the on-going Certificate of Lawful Development appeal at the Mere Park Garden Centre is known.
- WYG have assumed that there is both a quantitative and qualitative need for a food store development within Newport - this is unsubstantiated. and not reflected within planning policy and/or retail assessments.
- WYG have grossly underestimated the implications of a food store commitment at the Mere Park Garden Centre site.
- WYG have failed to include a food store at Mere Park within the expenditure capacity calculations for both Audley Avenue and Station Road applications.
- The quantitative and qualitative data contained within WYG's impact assessment is flawed.
- The level of trade diversion calculated by WYG is clear evidence of a significantly adverse impact on Newport Town Centre, yet WYG have failed to reflect.
- Turnover and impact figures have been underestimated.
- Neither applicant has demonstrated compliance with the sequential sites assessment.
- WYG compare the two sites, but promote Station Road application as preferable,
- Rather than assessing the merits of each site individually.
- Newport Town Centre is fragile, and a new food store development within the locality would have significantly adverse impacts on the future health of the centre.
- The applications fail to comply with the Telford and Wrekin Core Strategy.

**Letter from Mango Planning acting on behalf of Actoiris Development Ltd (development partner of Mere Park Garden Centre and Morrisons)** summarised below:-

- Mere Park Garden Centre benefits from planning consent that allows an open A1 retail use at the site.
- Our client has secured the interest of Morrisons in the Mere Park site and is taking steps to facilitate the conversion of the existing building to a Morrisons supermarket.

- An application for Morrisons' signage and external works has been submitted to the local planning authority ("LPA") illustrating the company's intentions for the Mere Park site.
- Have reviewed the WYG Appraisal and wish to highlight a number of concerns in respect of that advice, particularly in relation to the consideration of cumulative impact.
- The turnover of the proposed store at Mere Park adopted by WYG is incorrect - WYG tests the store at a sales density of £8,419 per sqm, but the Morrisons' company average sales density is £11,153 per sqm, some 32% higher than assessed by WYG.
- Sales density has then been applied to convenience goods floorspace of 1,035 sqm. But the existing building, together with its consented extension, will provide Morrisons with a total net sales area of 1,800 sq m and a convenience goods floorspace of 1,584 sqm.
- Taken together, the forecast convenience goods turnover of the proposed store will be £17.7 million, some £9.0 million higher than estimated by WYG.
- WYG's cumulative impact exercise adopts broadly the same trade draw patterns for both the Mere Park store and the two proposed superstores.
- Adopting WYG's trade draw pattern and applying it to the correct convenience goods turnover for the Morrisons store at Mere Park, the impacts on existing outlets would be more than doubled.
- For example, the total diversion from the Co-op would increase by £0.21 million, while the diversion from Waitrose would increase by £1.36 million.
- In the 'worst case' impact scenario of the out of centre Mere Park and Station Road proposals proceeding, this increases the cumulative impact on the town centre Co-op to 20.8% and on the edge of centre Waitrose to 36.8%.
- These are levels of impact that would jeopardise the future of these stores and may consequently have a significant effect on the vitality and viability of the town centre as a whole.
- A similarly harmful level of impact results by application of the revised figures to the consideration of the cumulative effect of Mere Park and Audley Avenue proposals.
- WYG's conclusions on capacity were reached without assessing the effect of the Morrisons store - this is material to the LPA's consideration of the current food store applications.
- It is evident that in failing to consider properly the Morrison's food store scheme at Mere Park the WYG Appraisal does not provide a sound basis for the assessment of the likely effects of either, or both proposals upon the town centre of Newport.
- The LPA will be aware of the importance in legal terms of taking account of consideration of the confirmation of the retail operator at Mere Park.
- The judgment in *R (on the application of Horne & Meredith Properties Limited) v Bridgnorth District Council* [2005] EWHC 2251 (Admin) illustrated such changes to be material considerations that must be assessed properly to meet the requirements of the *Kides* principle.
- To rely on the existing assessment without taking account of Morrisons at Mere Park would leave the grant of consent of either or both current foodstore proposals open to a potential challenge on these grounds.

- The materiality to this case of the identification of Morrisons as operator is obvious.
- There is clear evidence that, contrary to the advice of WYG, the grant of consent for either proposal is likely to lead to a significant adverse impact on town centre viability (PPS4 Policy EC16.1b) and on trade in the wider area taking account of capacity considerations (PPS4 Policy EC16.1d).
- As such, PPS4 Policy EC17.1 directs that both proposals should be refused.
- The opening of Morrisons at Mere Park will meet the quantitative and qualitative need for a new foodstore in Newport.

**Letter from Indigo planning acting on behalf of Audley Avenue Business Parks summarised below:-**

- Object to the applications for the development of a new 'superstore' and associated petrol filling station at land at Station Road, Newport.
- Also have concerns about the MRPP Retail Assessment - will submit comments in due course.
- We note that the named applicant for these applications is St Modwen, but 'superstore' site is wholly in the ownership of Telford & Wrekin Council.
- Both applications should be refused because the Station Road site is not an appropriate location for the development proposed.
- An alternative, previously developed site is available at Audley Avenue, which is currently subject to an application for a new foodstore.
- The application site is greenfield land outside the development boundary of Newport, so is not allocated for development and is within the rural area.
- Greenfield land located outside the development boundary is not an appropriate location for a new foodstore - this is particularly true when an alternative previously developed site is available at Audley Avenue.
- The 'brownfield first' approach is a fundamental principle of good planning.
- Station Road site is subject to 3 public rights of way, including the Hutchinson Way, which are well used by local people. These are to be re-routed. The site itself is also used by the local community for various recreational uses, it is worthy of retention as a valuable recreational, wildlife and visual resource.
- National policy seeks to protect open land for inappropriate development and promotes a 'brownfield first' approach, including the redevelopment of previously developed land.
- In rural areas, LPA's should strictly control economic development outside areas allocated for development in the development plan.
- The Station Road proposal to develop on existing open greenfield land conflicts with the Council's general policy approach to resist development in the rural area, that is, outside the development boundary and with Council's policy objectives for 'open land'.
- When considering Mere Park Appeal the Inspector concluded that the proposal was contrary to Policy CS 7.
- The Station Road site is within the rural area so Policy CS7 equally applies.
- There are no special or extenuating circumstances in this case to justify an exception to this policy. The applications should be refused.
- While we agree that there is a need for a new foodstore in Newport, this 'need' can be accommodated at Audley Avenue, a previously developed (brownfield)

site which already benefits for extant planning consent for major retail development, and which is subject to a current proposal for a new foodstore.

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**Local residents** - some 373 letters of objection have been received, which are summarised below:-

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- Brownfield site should be developed before greenfield sites - build on greenfield only when built on the brownfield sites.
  - A supermarket will kill the high street as it will sell goods sold in the supermarket.
  - No need for store of this excessive size. Council will have to grant Audley Avenue supermarket otherwise favouritism.
  - Springfield Stores will close.
  - Sainsbury's extension in Telford was refused, so how can a new store be granted.
  - Need to explore people's shopping habits more, as most people shop on their way home from work -not where they live.
  - Newport needs a discount supermarket.
  - A supermarket should go in town centre, not on the edge.
  - Proposal should be part of local plan process and not an application and applications should all be considered together.
  - Not in accordance with Localism.
  - Conflict of interest between Council and land owner and planning office.
  - Supermarket money already in budget, so what's point of consultation.
  - Newport will lose its character - it must remain a market town.
  - Doesn't take into account specific need of Newport - Newport already big enough and there isn't a housing crisis.
  - Scale of development is out of keeping and excessive - more suitable to a city.
  - People won't walk into town, so there will be no knock-on trade or linked trips, so it won't help town centre.
  - There will be increase in traffic, congestion, accidents especially at rush hour.
  - Junction at Station Court/Station Road will be tricky.
  - Petrol station will make area very busy.
  - Installing traffic islands will disrupt flows so people will take direct route through Newport, making town centre worse and eroding the status of the by-pass.
  - Infrastructure such as sewerage systems and flooding already under strain so won't cope with extra development.
  - Increase in flooding and drainage problem with hard surfacing of car parks and new roofs etc.
  - Doctors, dentists and schools will be under pressure.
  - Housing will be occupied by people living outside Newport.
  - Development too dense and will be sprawl across the fields and will result in loss of green space between Newport and Church Aston - important to separate them.
  - Should put more industrial on the housing land to meet town's business expansion needs.
-

- No need for more employment as empty units on Audley Avenue.
  - Any job increase will be negated by jobs lost from town centre businesses/shops closing.
  - There will be insufficient jobs to support the new population, which will make Newport an even bigger dormitory town.
  - Vacant units in the High Street will increase.
  - Increase in population will mean increase in crime.
  - Where will all the new people work and play?
  - Property values will decrease.
  - Views will be split.
  - Loss of open space, footpaths, dog walks and this will affect the young and elderly.
- .....

## **CONSULTATION RESPONSES received on AMENDED scheme**

### **Environment Agency**

We have no objection to the proposed development and would offer the following comments at this time.

Groundwater:

- The development area proposed is located on a Principal Aquifer. The site is close to the Source Protection Zone (SPZ) 1 for the public supply boreholes. It should be noted that the SPZ1 has not been correctly positioned and does not fall over the site of the boreholes. Given that the site falls possibly within, if not very close to SPZ1 and within SPZ2 of a number of potable supply boreholes, it is located in a sensitive location. Any surface pollution could pass rapidly to the groundwater system and potentially the abstraction boreholes.
- We would suggest that the views of Severn Trent Water be sought on this application as they may have concerns regarding the proximity of the development to the public supply boreholes. In addition, the development will cause greenfield land, on which rainfall recharges the aquifer to be reduced, thus potentially reducing the flow of good quality groundwater to the Baddely's Boreholes. We recommend that the potential reduction in recharge is calculated and SuDS options carefully considered to help replace this loss
- Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. It is noted in Section 8.2, of the Revised Environmental Statement, dated November 2012, that trapped gullies and interceptors will be utilised in areas subject to vehicular use.
- The Environment Agency's Groundwater Protection Policy (GP3) Nov 2012 states for SPZ 1: "Inside SPZ 1 we will object to any new trade effluent, storm overflow from sewer system or other significantly contaminated discharges to ground where the risk is high and cannot be adequately mitigated."
- The discharge of clean roof water to ground is acceptable both within and outside SPZ1 provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or

other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground.

It is noted in section 8.4.2 of the Revised Environmental Statement, dated November 2012, that paved areas will be passed through separators to remove any floatables, such as oils or petrochemicals.

- With regard to section 8.4.24 we would support the use of sustainable drainage systems (SuDS) for new discharges. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater.
- Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1 we will require a risk assessment to demonstrate that pollution of groundwater would not occur. They will also require approval from the SuDS approval body (SAB), when these bodies have been established, to ensure they follow the criteria set out in the SuDS national standards (when published), including standards for water quality, design and maintenance.
- The design of infiltration SuDS schemes and their treatment stages needs to be appropriate to the sensitivity of the location and subject to a relevant risk assessment considering the types of pollutants likely to be discharged, design volumes and the dilution and attenuation properties of the aquifer.
- With regard to the desk study (Rodgers Leask Environmental, dated July 2011 and revised October 2013), it is noted that the recommendation is for an intrusive site investigation to be undertaken to determine contaminative status of the site.
- We would request that the areas identified in the report as potential sources of contamination are targeted appropriately and a comprehensive investigation carried out to determine the risk to controlled waters.
- Add conditions relating to land contamination (investigations and mitigation); infiltration of surface water drainage; all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor ; details of any piling or any other foundation designs using penetrative methods to be submitted for assessment.
- Developers should follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. Contaminated soil that is, or must be disposed of, is waste and therefore subject to waste management legislation.

#### Flood Risk (Surface Water):

- The site is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Map. Whilst development may be appropriate in flood zone1, Table 1 of the NPPF Technical Guide states that a Flood Risk Assessment (FRA) is required for 'development proposals on sites comprising one hectare or above where 'there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off'
- We would therefore not make any bespoke comments and refer you to our general surface water drainage information of our Flood Risk Standing Advice and advise that you also speak to your Land Drainage Officer.

#### Foul Drainage:

- We would have no objection to the connection of foul water to the mains foul sewer, as proposed.
- The LPA must ensure that the existing public mains sewerage system has adequate capacity to accommodate this proposal, in consultation with the relevant Sewerage Utility Company.

#### Pollution Prevention:

- Developers should incorporate pollution prevention measures to protect ground and surface water.

#### Export & Import of wastes at site:

- Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation.
- Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised.

#### **Natural England**

- Does not object to this proposed development.
- Natural England has had extensive involvement to date with development proposals in this location and attended a meeting with the Council, the Environment Agency, and Severn Trent Water Ltd.
- The outcome of these discussions was that we concluded that there was no likely to be a significant effect to the Aqualate Mere Site of Special Scientific Interest (SSSI), and the associated Midland Meres and Mosses Phase 2 Ramsar site, and National Nature Reserve (NNR).
- Our previous comments have also established that there are unlikely to be significant impacts to Newport Canal SSSI.
  
- With reference to the revised non-technical summary (November 2013), we understand that this application represents an identical submission to the original application from September 2011, barring the removal of the retail element of the development and associated changes to the development boundary.
- The revised ES therefore represents an up-to-date version of the original.
- We are not aware that impacts to designated sites have therefore materially changed, and we refer you to these previous comments for our position with respect to designated sites. If our understanding of the application is inaccurate, we would be grateful for clarification.
- Natural England has produced standing advice for use by local planning authorities when assessing the impacts of development on protected species.
- Natural England notes that the proposals include the creation of new habitats such as native species broad-leaved woodland, native species scrub, species rich grassland and wildflower meadow, mixed native species hedgerow, pond – open standing water & wet/marshy grassland - we especially welcome this aspect of the development and advise the planning authority to ensure that the creation of new priority habitats is secured by way of a suitably worded planning condition or legal agreement. This may be integrated within a green infrastructure strategy

or landscape strategy, and should include provision for the long-term management and monitoring of new habitats.

- We welcome the proposed “comprehensive GI framework” and advise that this be secured by way of a suitably worded planning condition.
- We understand that you would also like our comments on how the development proposal relates to the loss of best and most versatile agricultural land. We understand that there is opportunity to submit further comments in due course, and we wish to do so with respect to this aspect only of the application.

### **Severn Trent Water**

- No objections to the proposals subject to the inclusion of the following condition. ‘The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce of creating or exacerbating a flooding problem and to minimise the risk of pollution.’
- If we could please be re-consulted when the application for discharge of conditions comes through so we can advise on the drainage proposals.

### **Shropshire Fire and Rescue Service**

- It will be necessary to provide adequate access for emergency fire vehicles. There should be access for a pumping appliance to within 45 metres of all points within the dwellings. This issue will be dealt with at the Building Regulations stage of the development, however, the Fire Authority advises that early consideration is given to this matter.
- It has been identified that water supplies for fire fighting purposes will need to be provided on the development to ensure adequate fire safety measures. This can be achieved by the provision of fire hydrants on new or existing water mains or by other satisfactory means. It is recommended that these requirements are designed in by the developer at an early stage especially where new water mains are to be laid.
- The benefit of installing a correctly designed sprinkler system which can detect and control a fire at an early stage of development will rapidly reduce the rate of production of heat and smoke.

### **Newport Town Council**

- Have reviewed this application, including the framework of Cllr Carter’s recently discussed indicative ‘Master Plan’ on which Members have accepted the need for employment land, and also with the proposals for 51 houses (TWC/2013/0855) which is in the centre of this application, and TWC/2013/0887 for the Aldi Store. Much of the land is currently considered to be public open space and is within the parishes of Church Aston, Chetwynd Aston & Woodcote and to a lesser degree in Newport.
- Newport is the centre and main provider of services and amenities, such as cemetery and allotments provision, as well as the location of the noteworthy schools. The Town Council is funded by its residents who pay a substantial

amount more as rate payers than their neighbours in these parishes. - the development will have a significant impact on all infrastructure, services and amenities provided within the town.

- With the potential for possibly a further 500 new residents, Members questioned whether these new residents would consider themselves belonging to Church Aston, Chetwynd Aston or Newport?
- The Town Council are currently seeking additional burial land - but as more land is used for any type of development the less likely there will be any available and that which remains is made worse by the increase in water table levels making land unsuitable for burial, but with the boost in residents' numbers there is likely to be a higher and increase in demand.
- Members requested that consideration to some form of contribution to provide land or mitigation for burial space be considered.
- The extra care facilities were considered to be of benefit with the demographic of Newport as an ageing population and the need for care in the community across a wider age range - this element of the scheme could potentially be of value to provide additional employment for components in the medical and social sectors as well as care workers.
- Consideration of the visual impact of any construction and development on this currently empty land must be reflective of the wider vernacular and reflect the essence of design in the conservation area beyond, as this area will be a gateway into the Town and as such the height of buildings and the inclusion of trees and landscaping to enhance, include and flow on a low density scale rather than a large scale development in isolation, are considered most important.
- Members are supportive of employment land opportunity, however consider that where demolition of existing buildings is proposed, this is not undertaken until there is reassurance that businesses can be re-located within the same area to prevent leakage from Newport to other locations and do not wish to see demolition of industrial units to provide housing, to the detriment of employment.
- The inclusion of the sports pitch is welcomed and Members consider there is an opportunity to utilise this element of the scheme as a community benefit, not solely for the use by Burton Borough School.
- Newport is lacking a communal multi-functional recreational play and games area for the use of a variety of disciplines.
- Members would request consideration that any sports pitch facility is accessible to the wider general public and provides adequate parking and drop off points, shelters and changing rooms.
- Members viewed the site plan excluding the supermarket element, and felt that there would still be a requirement for a bus service. They also consider that there is an opportunity to provide a Park & Ride scheme or that the developers could provide a contribution to increase parking provision for the town.
- Members have some concern regarding the access and egress from the housing estate on to Audley Avenue - these transport routes need careful management to avoid the creation of 'Rat Runs'.
- Members agreed that their previously submitted comments are still relevant to with particular attention to:
  - Out of proportion to the LDF recommendation of

60 dwellings per year. • The need for 1 & 3 bed houses as opposed to larger dwellings • Supportive for mixed business and industrial units providing more employment opportunities • Any existing business lost in planned demolition given the opportunity to re-locate to new units within the town. • Acknowledge the provision of extra care housing which could provide an opportunity for downsizing.

**Chetwynd Aston and Woodcote Parish Council - object.**

It is a greenfield site, and should not be developed until all existing brown field sites have been used.

**Church Aston Parish Council - object.** Very detailed objection summarised below:-

- Recognise both the need for additional housing in Newport, particularly affordable, to meet the local needs of natural population growth - however, this additional 350 houses and further 720 under construction, are well in excess local need.
- Council's housing land supply figures based on 2012 AMR & SHLAA show there is sufficient capacity.
- Consultants have applied 2 buffers to inflate housing land supply.
- Promotion or enhancement of house building on the periphery of Newport, as the Station Rd, Grove Farm and Audley Avenue are, will exacerbate the problem of meeting house building targets within Telford, where there is already more than sufficient land with planning approval.
- With around 130 properties currently for sale within Newport and its immediate environs and the still precarious state of both local and national housing markets (outside London and the South East), which is forecast to continue for some time, where is the demand for homes in Newport likely to come from?
- The estimated requirement for affordable housing for social rent in Newport is not achievable on the back of private sector development (requiring 35% affordable), and therefore should not be used as the basis for determining future housing targets and housing land requirements.
  - As no approved Local Development plan in place beyond 2016 and indicative phasing goes beyond 2026, any decision on Station Rd is premature.
  - The fact that the Council, along with many other local authorities, has failed through lack of sufficient planning resources to meet its targets in developing the suite of Development Plan Documents required within the Local Development Framework, should not mean that Newport and Church Aston should suffer through a lack of a democratically derived Local Plan.
  - The Core Strategy does not provide the basis, other than at a broad strategic level, to make detailed decisions on speculative applications such as Station Rd.
  - There is no approved long term development plan for Newport (as acknowledged in the revised Planning Statement), so therefore the current approval of developments on greenfield sites on the periphery of Newport represents 'planning application led' rather

than 'plan led' development which is filling the vacuum whilst the new Local Plan is in preparation.

- It is the responsibility of the Council, as the LPA, to protect the wider public interest and not to succumb to developers' demands to land bank yet more greenfield sites using the "presumption in favour of sustainable development" enshrined in Government policy and the NPPF as some form of justification.
- It is critical that this proposed major urban extension to the west and east of Station Rd is considered alongside the other approved and proposed housing sites given the significant cumulative impact they will have on the local infrastructure.
- Whilst the draft Section 106 proposes contributions towards additional educational provision to meet increased demand for school places, there is no contribution proposed for additional health care provision as it is considered there is significant capacity at existing GP surgeries.
- Result in a substantial increase in storm water flows through the western half of Newport's surface water sewerage system which may result in flooding. This needs to be investigated thoroughly and the system upgraded where required before any new development is approved.
- The Water Cycle Study, commissioned by the Council from Severn Trent to inform the Council's new Local Plan, was required to include an assessment of existing foul and surface water infrastructure capacity in Newport. It is imperative that the findings of this study are made public in order to provide the context in which any decision is made on this Station Rd outline application.
- The loss of important informal open space between Newport and Church Aston should be resisted in line with current CS Policy OL6.
- The proposed housing development at Station Rd will also lead to the loss of a separate identity for Church Aston.
- Its value as an important recreational area has previously been attested at both the Village Green and Station Rd superstore Public Inquiries, and the URS Sustainability Appraisal Scoping Report.
- Support the creation of additional employment opportunities as part of an extended industrial/commercial area around Audley Avenue, to the east of Station Rd, BUT not the loss of the Enterprise Park to housing - if the Council wants to promote additional employment land in Newport, it should refuse consent for the redevelopment of the Audley Ave Enterprise Park and actively promote the Saved Policy E2 site (from the Wrekin Local Plan) and the adjacent land south of Newport Silos (Mornflake) for Class B development, and consider the establishment of an Enterprise Zone as suggested by Cllr Eric Carter's indicative Master Plan.
- The amended outline application does not meet the needs of the local community, nor enhance and protect the local environment, and is therefore contrary to current Development Plan policy.
- It will generate more, not fewer, car journeys, lead to a significant loss of well used and valued informal open space of which there is a recognised

shortage in the area, and severely overload the local social and drainage infrastructure.

- As such, it does not deliver 'sustainable development' in line with local and national planning policy guidelines, only 'speculative development' for the profit of landowners and developers.

## **Internal Telford & Wrekin Council consultations**

### **TWC Highways**

- The original Outline submission included an A1 food store and PFS and this element of the development was also covered by a full Planning Application (TWC/2011/0916) which was run in parallel.
- This amended submission removes the food store from the Outline submission though that element of the development is still to be considered under the separate Full Application.
- As a result my recommendation is basically unchanged, though elements related to the food store have been removed.
- There is still a requirement to provide the following:-
  - Funding towards various elements of highway infrastructure around the Newport bypasses.
  - Physical highway works required for access under S278 Highways Act and to include TRO to extend the Station Road 30mph zone.
  - Public transport infrastructure and bus subsidy contribution.
  - Diversions of part of the PROW network and provision of footway improvements.
- As all on site matters are reserved there is some uncertainty on the exact layout and features for the estate. Features such as highway trees and non-standard drainage could attract a commuted maintenance sum. A through link road to Audley Avenue will be required. No direct frontage vehicular access will be supported off the industrial distributor road beyond the Eastern Site access roundabout.
- All of the off-site highway access works and the alterations to the bus gate will need to be delivered through S278 Agreement with the Highway Authority.
- With regards details the roundabout access to the western site off Station Road has moved slightly - the detail show on drawing ref.1158-01 needs to show a wider footway around the northeast side of the roundabout.
- Draw your attention to the small residential site opposite for 51 dwellings (TWC/2013/0855) - this site has only recently come forward and could potentially prejudice the delivery of the Station Road access unless it secures all the necessary land to allow the access to be amended from a priority junction to the fourth arm of the roundabout.
- Recommended various conditions (summarised here) such as requiring details of layouts of roads / footways / cycle ways / parking / turning areas/ surface water drainage / street lighting / bus stops/ details of new access links / PROW enhancements for on-site sections / details of new junctions and roundabouts / Travel Plan.
- The proposed development will need to make financial contributions through a suitably worded S106 Agreement.
  - Off-site highway infrastructure = £820,596

- Public transport service enhancements = £360,000
- Public transport infrastructure = £10,000
- Public Rights of Way =- £7,500
- Travel Plan monitoring = £10,000 (comprising £5,000 (C class uses) + £5,000 (B class uses)).
- Commuted maintenance sum for the Station Road PUFFIN crossing - £tbc

**TWC Drainage - support subject to conditions:-**

- i) Any drainage system must comply with the FRA and Drainage Statement produced for this site. Any areas currently classed as greenfield should be restricted to the 1 in 1 greenfield rate, and any areas designated as brownfield should demonstrate a 30% reduction on existing runoff rates. Any attenuation feature must be capable of dealing with all flows up to and including the 1 in 100 year (+30%) storm event. Details on the future ownership of the attenuation features are also required. The approved details shall be implemented in full prior to the first occupation of the development. Reason: To ensure satisfactory drainage of the site and avoid flooding.
- ii) There are known issues with high groundwater levels on site which may affect the proposed SUDS features. Details on the existing levels of groundwater on the site and how they will be mitigated are required. The approved details shall be implemented in full prior to the first occupation of the development.
- iii) A plan showing flood routing for exceedance flows above the 1 in 100 year (+30%) storm event, and dry access/egress routes should be submitted.
- iv) The FRA has stated that improvements to the public sewer network may be required to allow the connection of surface and foul water flows produced by the development. Details on the proposed improvement works and evidence that they have been completed prior to the connection of any proposed drainage system are required. If it is not possible to complete these works prior to the completion of the development, details temporary mitigation methods are required. The FRA has stated that the western parcel will discharge to the public sewer network in Richmond Close. At present there is a separate application for a single dwelling (planning number W2009/0201) which has been granted full permission that will be connecting to the public sewer network in this location. Details on how this will affect the proposals, and any alternate points of connection are required. The approved details shall be implemented in full prior to the first occupation of the development. Calculations have been submitted to show that the development will have no adverse effect on Millwood Mere. These calculations were based on assumptions on the impermeable areas on the submitted master plan. Revised calculations are required once detailed designs are available.
- v) The plans below show the location of an existing 450mm diameter surface water connection to the public sewer network in Wallshead Way. Information on the location and condition of this sewer are required. Appropriate easements should be provided within the site layout. Details on the future ownership of this system should also be provided.
- vi) The drainage statement has identified the need for a pumping station to serve the west parcel. Details on the future ownership and maintenance are required.

vii) Details on how surface water flows will be dealt with during the construction of the site are required. The approved details shall be implemented in full prior to the first occupation of the development.

### **TWC Parks & Open Spaces**

- It is essential that all new developments make full provision for the infrastructure/amenities and services which they create, as new residents to the area will increase demand upon the existing play area / recreational resource and will contribute to the need of recreational facilities for the area.
- The proposed development will meet the trigger to provide an on-site NEAP (Neighbourhood Equipped Area of Play) in accordance with WLP policy LR6.
- The definition of a NEAP by Fields In Trust is that it provides 2 areas of approximately 1,000m<sup>2</sup> identified for children's play / recreation - one for an equipped area of play for older children and another for a hard surfaced ball court.
- The council's adopted play strategy definition for a NEAP includes the above 2 elements and requires the provision of wheeled sport (BMX track or Skate Park).
- It appears the proposal has included all 3 elements (with the wheeled sports element being provided in the form of a small skate park) - detailed design of this area would need to be confirmed.
- A NEAP needs to be 30m from residential boundaries and this needs to be accounted for in any detailed proposals.
- Parks & Open Spaces would welcome the opportunity to work alongside the developers in the planning of a revised / detailed NEAP / open space to meet the needs arising from the development.
- There appears to be a large amount of Public Open Space proposed within this development. Need to confirm who is to maintain this open space, and where not conveyed to a property(s) to maintain, and confirm whether the applicant wishes Telford & Wrekin Council Parks & Open Spaces to adopt / maintain it?
- A long term management plan would be required to determine the specific maintenance and this should also highlight who is to maintain this POS land, and if not the council, to include how this maintenance is to be financed in the long term. Should the applicant wish for the council (P & OS) to adopt / maintain this POS, a commuted sum for maintenance will be required and this should be agreed within a S106 - although P & OS welcome the provision of a new landscaped park, it should be noted that this amount of open space is likely to incur a considerable amount of management which is likely to require a significant commuted sum for maintenance
- Should you be minded to approve, the programming of works will also need to include (and be agreed) triggers for the completion of these significant open spaces / play facilities.
- There is also a proposal of a football Pitch adjacent Burton Borough School - confirmation needs to be clarified as to whether this is to be part of the school and as usual with school boundaries security fenced as there is mention of shared use. Should this not be the case that is to maintain this facility if not

the school? Therefore there is either a visual issue or managerial issue with a facility that is not necessarily a priority. As it is not clear as to who is to manage this facility it needs to be highlighted that it would be likely to incur a relatively high commuted sum should the council be proposed to manage it. Please can you confirm that as part of other developments nearby contributions secured from these developments are to create an all-weather pitch (presumably on the area outlined as a grass pitch).

- If minded to approve, recommend conditions relating to the approval of open space / landscape detail by TWC (P & OS) prior to starting development to ensure appropriate landscape design / timing of implementation of the NEAP / POS; no overlooking housing being sold prior to the NEAP being built; requirement of a Landscape Management Plan (identifying the proposed ownership / management and maintenance responsibilities for after implementation to ensure continued use of the public open space and provided in association with the landscape detail.

### **TWC Education – support**

The previous Position Statement remains relevant requiring £1,216,036 towards primary education and £960,160 towards secondary education = total contribution £2,176,195 for the four Newport residential applications (see justification under original consultation comments), equating to £2,461.55 per dwelling (i.e. £861,542.50).

### **TWC Ecologist**

#### Habitats

- The proposed development site comprises woodland, semi-improved grassland, mature trees, hedgerows, ephemeral water bodies and arable land according to the Designated Sites and Phase 1 Report by FPCR (October 2013).
- The proposed development will result in the loss or disturbance of 0.4ha of woodland 0.4ha of semi-improved grassland, a number of mature trees and several sections of hedgerow internal to the site along with 17.5ha of arable land.
- However, external boundary hedgerows would be retained and some are species rich and as such are a habitat of principle importance within the NERC Act (2006) and Hedgerows 12 and 16 on the site have been classified as 'important' under the Hedgerow Regulations (1997) and would both be retained.
- H12 would, however, would be retained as a garden boundary hedge which would mean in future it no longer met the definition within the regulations but there would not be a significant impact on its structure, species mix or value as connecting habitat as a result of this change.
- There is a single veteran oak tree on the site, T81, which has value both due to its age and veteran status and also for roosting bats and for the assemblage of invertebrate species it supports - is to be retained and appropriately protected during the development works along, tree protection measures will also apply to all other retained trees and hedgerows.
- The other trees on the site are not of veteran status and, due to their age and structure have limited value for roosting bats (except for T77 and 78 and 81 which have all been fully assessed).

- The proposed development will result in the creation of 6.6ha of green infrastructure including retained woodland, a field pond on the site boundary and hedgerows and newly created wetland features, wildflower grassland (MG5 type), native woodland planting, street tree and landscape planting and appropriate management of the retained woodland areas. Newly created and retained habitats will be managed appropriately under a long term (20 year) habitat management plan which will be a condition of this outline planning permission.
- The habitats to be lost have local value but, aside from the hedgerows and T81, are not habitats of principle importance and their loss will only have a local impact - the mitigation offered in terms of native species planting, wildflower seeding and new wetland features offers a new biodiversity gain on the site and within the local area.

#### Bats

- The Bat Survey Reports by FPCR (October 2013) and Cotswold Wildlife Surveys (2011) assess 8 buildings in close proximity to the site and the trees within the proposed development site in terms of bat roosting potential and also make an assessment of the bat foraging and commuting activity which occurs over the site.
- Three trees were identified on the site with bat roosting potential, T77, T78 and T81 - the trees were subject to aerial inspection and no evidence of roosting bats was recorded. The remainder of the trees on the site were assessed as having negligible potential for roosting bats. It is likely that either T77 or T78 will be lost (and the other retained) and T81 is specified as retained. FPCR conclude that precautionary methods of working should be followed during the removal of any tree which has bat roosting potential and precautions are set out in Appendix B of the FPCR bat report.
- None of the buildings assessed showed any evidence of bat roosts being present. The site showed low levels of bat activity by low numbers Common Pipistrelle, Soprano Pipistrelle, Myotis sp. and noctule bats.
- New lighting on the site has the potential to disturb commuting and foraging bats and the new site access roads have the potential, particularly where a new break is introduced into existing hedgerows, to disturb bat flight routes.
- Lighting will be carefully controlled through the requirement of a site lighting plan to be prepared in accordance with ecological advice and following the Bat Conservation Trust Bats and Lighting in the UK guidance as a condition of planning permission. Bat 'hop over' planting will be provided in sensitive locations where existing hedgerows are to be interrupted by access roads etc, in identified locations a 'hop over' will be created through structural planting to maintain flight lines. FPCR specify a mitigation scheme of artificial bat roosting boxes in the form of 60 bat boxes on trees (and have confirmed that sufficient trees exist on the site to support this) and 20 integrated bat tubes in new dwellings.

#### Nesting Wild Birds

- The site supports a wide range of bird species many of which are likely to be breeding on the site.
- FPCR recommend the retention of existing hedgerows where possible and the illustrative masterplan confirms that site boundary hedgerows will be retained.

- FPCR also recommend a scheme of artificial nest box provision of bird boxes and native species landscape planting with appropriate long term management.

#### Reptiles

- Awaiting additional information relating to the approach to reptiles from the ecologists at FPCR.
- There is a small area of habitat with some potential for reptile species in the area along the historic railway line - this area is within an identified area of open space within the development and appropriate management for reptile species should be achievable but needs to be specified.
- Clarification is required relating to the proposed mitigation and appropriate habitat management in this area and is linked both to the proposed approach for Badgers, see below, and to a second planning application which covers in duplicate the area of land on which the new sports pitch will be provided for Burton Borough School.

#### Badgers

- Awaiting additional information relating to the approach to badgers from the ecologists at FPCR.
- There is a known badger sett within the site boundary which will require closure as part of the proposed development plan.
- FPCR are currently preparing a proposal relating to the provision of an artificial badger sett, timings and methods of working for closing the existing sett and a program of sett monitoring in the run up to the commencement of development.
- The mitigation for badgers will apply equally to the second planning application which covers in duplicate the area of land on which the new sports pitch will be provided for Burton Borough School.

#### Amphibians

- The ponds within 250m of the proposed development site have been subject to Great Crested Newt (GCN) surveys in 2012 and all were found either to be unsuitable at the time of survey due to being dry or of poor quality.
- The GCN Survey Report by Cotswold Wildlife Surveys (2012) concludes that there is negligible potential for GCNs to be present on the proposed development site but did record a medium population of common toad which need to be protected during the development works.
- Basic precautionary methods of working with relation to toads are provided in the Environmental Statement section 6.5.44 and the provision of suitable drainage and gully pot systems to avoid impacting on the species are set out in paragraph 6.5.69.

#### Pond 1

- One of the mitigation and enhancement measures being offered as part of this proposed development is the reconfiguration, retention and enhancement of pond 1. FPCR are currently gathering additional information regarding the proposals around pond 1 and clarification as to whether this pond, and the works to it, fall within the red line of this planning application or with the adjacent application for the food store and associated

## Habitat Regulation Assessment

- This application must be considered under the Habitat Regulation Assessment (HRA) process in order to satisfy the Local Authority duty to adhere to the Conservation of Species & Habitats Regulations 2010 (known as the Habitats Regulations) since it is within 10km of the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar Phase 2.
- Natural England has been formally consulted by Telford & Wrekin Council on the amendments made to this planning application since it was originally made in 2011. Natural England did not object to the original proposed scheme in 2011 and were satisfied that there was 'no likely significant effect' on the European Designated Site at that time. Severn Trent Water was also satisfied in 2011 that sufficient waste water treatment capacity existed within their system to ensure that there would be no detrimental effect on the European Designated Site.
- Additional comments are awaited from Natural England and Severn Trent Water in regards to this 2013 amendment to the originally proposed scheme. Once those representations are received a Habitat Regulation Assessment matrix will be completed for this 2013 amendment and will be provided to the planning committee in advance of their meeting.
- Recommend following conditions (additional conditions may be need to once the positions on badgers, reptiles and works around pond 1 are known) relating to nest box provision; a precautionary method statement with respect to common amphibians; bat boxes; removal of any tree with bat roosting potential be undertaken in line with the Method Statement for Tree Works in Appendix B of the Bat Survey Report by FPCR (October 2013); lighting plan to minimise disturbance to bats; Construction Environmental Management Plan showing protection of wildlife/habitat protection areas and mitigation measures; landscaping scheme for enhanced biodiversity; long term habitat management plan (at least a 20 year period).
- Add Infromatives relating to protection of nesting birds; trenches; badgers.

## TWC Arboricultural Officer

- There have been two tree surveys carried out in relation to the original application. The last and current one was carried out by FPCR Environment and Design Limited and classified as an Arboricultural Assessment Addendum undertaken in February 2012 further to the survey work undertaken by Indigo Surveys Ltd.
- Both surveys were carried in regard to BS: 5837 (2005) Trees in Relation to Construction. This British Standard has now been withdrawn and replaced by BS:5837 (2012) Trees in Relation to Design, Demolition and Construction – Recommendations. As such if consent is afforded to the application a further amendment to the tree surveys will be required at the reserved matters stage.
- The arboricultural comments & conditions made on the previous application are still applicable with regard to the proposed houses and commercial developments.

## TWC Sustainability officer

- A statement is required in the design and access statement where the developer should look to explain how they believe they have developed a valid and sustainable design solution.
- One of the most effective ways of securing more sustainable developments, and reducing climate change emissions, is to develop residential buildings to achieve Code for Sustainable Homes (CSH) standards and non-residential buildings to achieve Research Establishment Environmental Assessment Method (BREEAM). As such, the built development will need to meet the environmental standards outlined below:-
- The development must be completed using CSH and BREEAM.
  - CSH and BREEAM assessments for the scheme will need to be undertaken at the design stage and also at post-construction review.
  - The development will be required to meet CSH rating 4 for residential elements and BREEAM 'Excellent' for the non-residential elements. Please note that CSH and BREEAM are updated regularly. The developer must refer to the latest version or the prevailing sustainable standards - whichever is the higher at the time of submission of reserved matters.
  - Developers and designers should involve a CSH and BREEAM assessor as early as possible in the design process, to ensure the rating is achieved in a cost effective manner.

## **Local representations**

### **Shropshire Wildlife Trust**

- While the amended proposal is a great improvement upon the previous version, there are still a number of issues that should be addressed.
- Inclusion of green space is welcomed but an access route still impinges upon the paddock and pond that were the focus of our original concern and I can find little information on what mitigation or compensation measures are proposed.
- There is significant cumulative impact on green space in Newport, a town that has been identified as having a shortage of semi-natural green space (PPG17 Assessment), and we would have expected a development of this scale to make a greater contribution to addressing the shortfall. We would therefore recommend that the land previously allocated for the superstore, petrol station, etc. is now allocated for natural green space provision.
- An appropriate level of green space provision should be accompanied by a Biodiversity Management Plan clearly defining costs and responsibilities as well as the action required to enhance and maintain ecological value of the site and area.

### **The Telford and Wrekin Local Access Forum**

- Whilst the forum cannot directly oppose the development, the following comments should be taken into serious consideration.
- We are a statutory body [s.95, s.95, CRoW Act 2000] tasked to advise on "The improvement of public access to land for the purposes of open-air recreation."

- I have yet to see a planning application that has mystified me as much as this one has as far as Public Rights of Way (PRoW) are concerned!
- The site of the proposed development has Definitive Public Rights of Way (highway) (footpath) passing through it and one of these is the nationally promoted route – The Hutchinson Way (named after a previous Chief Executive of the council).
- It would be unlawful to stop up or otherwise divert or interfere with these public rights of way without the correct legal orders being published and consulted upon.
- Any diversion should be as 'equally commodious' for the user as the previous routes were [s.116(1)(b) HA 1980] - it would not be acceptable or lawful to divert the PRoW along a road nor 'equally as commodious' to do so on a pavement next to a road.
- The PRoW at the moment are on grass, so careful consideration of the surface would be needed.
- Any design should use 'least restrictive practice' so that those with reduced mobility can pass freely and safely.
- The routes are currently of the legal status of footpath and they should be upgraded to bridleway minimum, which will allow for their lawful use, by cyclists.
- The diversions are best integrated into any green spaces/corridors being created to allow both sustainable transport and recreational use.
- A good, well designed green network through a new development can have the effect of making the development both more pleasant for the inhabitants and more 'palatable' to the local community as a whole.
- The Local Access Forum has experience in advising developers in this area and would be more than willing to assist should the developers and highway authority wish it to do so.
- Recommend that the developers engage with the Highway Authority and the Local Access Forum at the earliest opportunity to see that the matters of the PRoW are resolved before development begins.
- No planning should be granted until the above is actioned and no development should take place until the correct Public Path Orders are confirmed and the routes placed on the Definitive Map for Telford and Wrekin.

### **Newport History Society**

- Office note - the Society has submitted an interesting commentary of the local heritage and the local fields in their historic environment, and more detailed commentary of four areas (The Marsh Fields, Near and Far Custard Fields, Black Butts field and Far Filed/Near Butts/Perkins Meadow/Folly Field). However, their commentary makes no conclusions or comment on the significance of the finds or historic features and hence no assessment on how the proposed development will impact on these.
- Various ancient tracks and roads converge on the proposed site.
- There have been Roman finds from the fields either side of Station Road.
- Anglo Saxon boundary ran along the southerly fields.
- Medieval ridge and furrow still survive.
- Henry Tudor (later Henry VII) mustered troops nearby at Pave Lane.

- Military Civil War finds all over Newport, including in fields on both sides of Station Road.
- Land south of Audley Avenue was originally 'common land' until it was drained and improved after 1763.

### **Save Newport Campaign**

- The Council has not objectively assessed housing in line with LGA principles/NPP Guidance on the basis that it has (1) not properly assessed what is actually required to address demographic change; (2) it has taken an over-optimistic view on the Borough's achievable economic potential; (3) it has allowed wider policy issues to influence its assessment of housing need.
- Consequently it has inflated its assessment of housing need over the next 5 years through the revised annual targets it has set (1,722 p.a) and hence is aspirational, not objective.
- Based on DCLG forecasts of household growth rates, there is a need for 2,650 over the 5 years, not 8,612 now identified.
- There is no explanation as to the difference between the housing need targets 2006-13 of 8,050, against the latest published AMR 2012 figure of 6,215.
- The addition of a 20% buffer as suggested by the NPPF to allow for 'persistent under-delivery against housing (need) targets', seems to be a case of double counting if the actual shortfall against targets has already been built in to the new 5 year housing need targets.
- The Council therefore seems to have applied 2 "buffers" to inflate housing needs targets (a 70% buffer to account for the 'actual' level of underperformance 2006-13 against AMR targets (4412/6215), and then a further 20% on top).
- The Council elects to adopt the 'Sedgefield approach' to seek to meet the identified shortfall which front loads the provision of this shortfall within the next 5 years, rather than the 'Liverpool approach' which seeks to meet the shortfall over the whole plan period. No explanation is given as to why the former is preferred or different scenarios are not examined are set out in the November HLSS.
- The Council's latest estimate of future housing land supply is based on the number of houses under-construction that will be completed in the next 5 years and those with planning permission seen as deliverable within 5 years but not yet started - not clear why all houses currently under-construction will not be completed within the next 5 years, nor why only 52% of those houses with extant planning permission are regarded as deliverable over the next 5 years.
- As there is no explanation provided in the November HLS, do not understand how the Council's position with regard to the deliverable supply of housing land can change so dramatically between the publication of its latest AMR in December 2012 and the publication of its HLSS in November 2013 – from a deliverable 14 year housing land supply to a paltry 2.5 years, particularly when both reports are NPPF compliant. What has changed?
- No convincing explanation given to why the Council is now discounting any delivery from identified SHLAA sites, which accounted for a further 8,886 deliverable houses in the AMR 2012.

- Result is that the Council's position on the 5 year deliverable housing land supply has reduced by 3,991 houses between the publication of its 2012 AMR for Government (December 2012) and its November 2013 HLSS.
- The Council has not explained the reasoning behind this dramatic change in forecast housing land supply figures, and therefore it does not allow the public to properly challenge these new figures or come to any conclusions as their robustness when seeking to object to the numerous planning applications now being put forward for greenfield development across the Borough.
- The Council now concludes that it only has a sufficient housing land supply to deliver 2.5 years' worth of its recalculated 5 year housing need target. In coming to this conclusion, without exploring alternative scenarios, and thus falling foul of NPPF requirements, it has now opened the flood gates to any prospective housing developer and therefore has effectively relinquished control over planning policy either within the current Development Plan period (Core Strategy to 2016) or beyond it (Shaping Places).
- The Council's November 2013 HLSS is unsound - there is a lack of transparency and lack of evidence to support the Council's major shift in its position regarding assessment of housing need and the 5 year deliverable housing land supply - and cannot be used as a basis for making decisions on planning applications for further housing developments in the Borough.
- The late publication of the HLSS on 28<sup>th</sup> November by the Council denies potential objectors to planning applications any opportunity to challenge the Council on the key test of whether or not the proposed development is required to meet housing need.
- It would seem that the problem is not one of housing land supply capacity, availability and deliverability, but one of market failure caused by insufficient demand for housing.
- The Council's calculation of housing need and targets are based on its policy stance to be a 'growth hub' within the Region, thus attracting in high levels of in-migration, but this makes it an unsuitable basis upon which to calculate its 5 year housing land supply requirement.
- It uses the latest house building data collected for 2012/13 which is not yet in the public domain;
- If the assumptions and evidence that sit behind the HLSS are not made public, and the final conclusion regarding housing land supply is not debated and approved by Cabinet and Full Council, then we will be copying this report to the NPCU and the Secretary of State requesting that the Station Rd outline planning application (TWC/2011/0871) is called in.

**Local residents** - 33 letters of objection received from local residents, summarised below as follows:-

- Too many houses proposed and very high density that will exceed the 60 per year.
- 600 -700 houses already been approved in last 2 years, so this development is not needed.
- Number of homes for sale is beyond local need.
- Need more affordable as many properties bought by private landlords as buy-to-let, especially for the Harper Adams students - and the distorts the market. This therefore does not support local people.

- Should not build on greenfield sites until all the brownfield sites have been developed - if don't enforce this then they will never get built.
- Don't need speculative employment, as there are already vacant units and who will come to open a business in Newport?
- Too many roundabouts proposed that will cause congestion.
- Development will ruin Newport.
- How will schools, doctors and dentists cope with extra population?
- Site already suffers from drainage problems, which will be exacerbated - there will need to be off-site improvements.
- Installing ponds on site is a crazy idea.
- Loss of open space and fields (Grade 2 agricultural land) that people enjoy and destroying public rights of way.
- Wildlife will be destroyed
- Should consider the applications together.
- Scale of development too large for a town the size of Newport.

Officer note: despite the application being amended to exclude the supermarket, people have still submitted specific retail comments - but these have not been reported here.

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## **PLANNING CONSIDERATIONS:**

The main issues to consider in the determination of this application are as follows:

- Environmental Statement
- Planning Policies and principle of development
- Housing Need and Supply
- Affordable Housing
- Employment
- Design Considerations
- Open Space and Play Provision
- Landscape and Trees
- Highway Impact and Public Transport
- Drainage, Flood Risk and ground conditions
- Noise and Air Quality
- Other infrastructure & community facilities
- Ecological impact and archaeology
- Sustainable development
- Planning Obligations
- Other considerations – referral to Secretary of State

### **a) Environmental Statement**

The application is accompanied by an Environmental Statement (ES). The ES covers the application site and contains information describing the project, outlining the main alternatives considered, aspects of the environment likely to be significantly affected by the development and measures to prevent or mitigate any identified impacts. Where an ES has been submitted with an application, the

LPA must have regard to it in determining the application and can only approve the application if it is satisfied that the ES provides adequate environmental information.

The ES covers the areas identified in the scoping exercise as amended following the omission of the superstore and PFS and examines landscape and visual amenity; flora, fauna and nature conservation; noise and vibration; drainage; hydrology and water quality; traffic and transport; air quality; archaeology and cultural assets; social economic impacts of the development and the cumulative effects of the development. The revised ES and Addendum for each chapter consider the impacts and their significance as well as the cumulative effects of this application with the other approved known applications at the time of submission (early Nov 2013). It is not possible to set out all of the impacts identified but the full reports, technical notes and summaries can be viewed via the Council's web site. The ES has also informed the planning balance of the planning considerations identified in the remainder of this report and mitigation measures where applicable and presented in the ES are included either in the development proposals as revised or as planning conditions/Section 106 Obligation.

Officers are satisfied that the revised ES provides adequate consideration of the various issues and that due consideration has been made to the likely impacts that the proposed development will generate and the mitigation measures where necessary.

#### **b) Planning policies and principle of development in general**

Since the original application was submitted the new National Planning Policy Framework (NPPF) was published by the government in March 2012.

The NPPF has at its heart the pursuit of sustainable development, which involves mutually dependant economic, social and environmental dimensions. The NPPF advises at para 9 that *"Pursuing sustainable development involves positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):-*

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *widening the choice of high quality homes.*

The NPPF is the most up to date national policy guidance that all development needs to be assessed against, especially if existing local development plans conflict with the national advice. Paragraph 14 of the NPPF states that there is a "presumption in favour of sustainable development" and *"For decision-taking this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.”*

The NPPF contains twelve core planning principles, from which there are some thirteen policy areas, the most relevant of which to this application are:-

- Building a strong, competitive economy;
- Ensuring the vitality of town centres;
- Supporting a prosperous rural economy;
- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design;
- Promoting healthy communities; and
- Conserving and enhancing the natural environment.

Whilst new development may cause harm, consideration has to be about whether any harm is outweighed by wider benefits and the thrust of the NPPF and the pursuit of sustainable development as a whole.

Many of the long-term visions and spatial development objectives for the Borough and Newport are set out in the Core Strategy. These seek to be “supporting the role of Newport as a market town to enable it to fulfil its role as a rural service centre”; “create a sustainable pattern of development and meet the needs of local communities”; “improve social inclusion by improving the accessibility to jobs, shopping, education, health, sport, recreation, open space and leisure facilities and other services while minimising the need for travel”; “to facilitate long term economic regeneration through the diversification of the economic base and create job opportunities to match population growth”.

The Shaping Places Local Plan Strategy & Options consultation document continues many of these objectives. For Newport its role as a market town is to be consolidated and strengthened. Newport is recognised in paras 2.4.9 and 2.4.10 as being a town with a “vibrant centre and an important focus for employment, leisure and community facilities...” and that “Newport has a shortfall of affordable homes, despite higher than average incomes. This poses particular problems for newly-forming households”.

The general preference in favour of brownfield development in previous years is acknowledged and encouraged in the core planning principles of the NPPF. Indeed the delivery of housing during recent years has largely been on brownfield sites in Newport. However, the NPPF does not impose an overt sequential process and the NPPF’s presumption in favour of sustainable development does not automatically mean that brownfield land should be developed before greenfield land at all costs.

Whilst the Core Strategy provides a Key Diagram, the Core Strategy is not accompanied by a spatial plan that identifies how the development strategy is to be accommodated. Whilst Policy CS6 (Newport) recognises the function and role

of Newport where future development should be concentrated, it neither allocates land for development nor establishes the extent of any revised settlement boundary to accommodate future growth beyond 2006, as shown in the WLP Proposals Map.

The Inspector at the Examination of the Core Strategy considered a range of housing delivery options for Newport including concentrating development on previously developed land within the current built up area. However, it was considered that this option would not achieve the necessary levels of affordable housing required and that pressure for housing could displace other uses particularly within the Town Centre and diminish rather than support the role of Newport as a market town.

The Inspector concluded that the most likely option to achieve the required level of affordable housing in Newport was the option that promoted 60 dwellings per annum. It was recognised that this option would entail extensive use of greenfield sites around Newport.

It has been argued that the application is contrary to Core Strategy Policy CS7 (Rural Area) on the basis that this is the relevant policy that should be applied to the proposed development. Policy CS7 specifically seeks to limit development to meet the needs of the Rural Areas (as opposed to Newport) and focus development on three named villages. Your officers maintain that this policy should not be used to prevent development that is necessary for the continued growth of Newport, and that the development is entirely consistent with the aims of Policy CS6 (Newport), which also refers to development meeting the needs of Newport's rural hinterland as well as the needs of the town itself. Although there is no spatial plan which allocates land uses for the Core Strategy, it is considered that the proposed site is far more closely related to the urban area of Newport than it is to rural settlements as it is physically contiguous with Newport's boundary (of housing and industrial areas) and is confined by the by-pass.

WLP policy OL6 (Open land) was debated at the Audley Avenue non-determination supermarket appeal (TWC/2011/0632) as being relevant to restrict development on Station Road. OL6 refers to "*locally important incidental open land within or adjacent to built-up areas where that land contributes to the character and amenity of the area, has value as a recreational space or importance as a natural habitat*". However, as already mentioned above, the Core Strategy Inspector clearly accepts that some of Newport's open spaces on the edge of its built up form will have to be developed to meet Newport's growth. Officers also accept this argument and as a result do not consider that this site can be considered prejudicial to WLP Policy OL6.

Furthermore, this approach to development proposals outside the town boundary has been applied in the determination of four other planning applications granted in 2012/13 for housing developments similarly located outside but immediately adjacent Newport's built up boundary. It is of note that these other applications were the subject of similar objections on the desirability of developing brownfield land in preference to greenfield land, but none of these applications has been

called-in by the Secretary of State - this is a material factor. Further commentary on the open nature of the site is discussed later in this report.

The proposed development will result in some loss of Grade 2 agricultural land (as defined on the Agricultural Land Classification (ALC) map held by Natural England). The ALC system classifies land into five grades and it is acknowledged that Grades 1, 2 and 3b offer the most flexible, productive and efficient land that can best deliver future crops for food and non-food uses. Paragraph 112 of the NPPF is the latest Government planning policy on the subject of agricultural land and planning and although LPAs are required to take into account the economic and other benefits of the best and most versatile agricultural land, particular attention is required to be devoted to proposals for significant development. Policy CS 6 supports Newport's role as a market town with future development promoted where it directly benefits the town's economy, increases accessibility to key services and facilities, and where it meets local needs for housing and employment. The Core Strategy Inquiry Inspector acknowledged that greenfield land around Newport would need to be developed to meet Newport's housing need, due to the limited amount of brownfield land within Newport's boundary. That decision was made in the full knowledge that there swathes of Grade 2 land around Newport and therefore the loss of some Grade 2 agricultural land on the edge of Newport was an inevitable consequence of growth and supporting Newport's role as a market town.

### **c) Housing need / land supply**

The proposed mixed use development includes some 350 new dwellings of a mix of bedroom sizes comprising, indicatively, 35no. 2 bed dwellings, 123 no. 3 bed dwellings, 157no. 4 bed dwellings and 35no. 5bed units, and there would be 35% affordable housing with a mix of house sizes, types and tenures.

The spatial interpretation of the housing targets defined by Core Strategy policy CS1 Homes is given focus by directing development to Telford; to Newport in Policy CS6 and to the three identified rural settlements of High Ercall, Tibberton, and Waters Upton in Policy CS7. Outside of these locations, new development will be limited and in the open countryside strictly controlled.

In accordance with the NPPF, Telford & Wrekin Council must identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of housing against its housing requirements set out in the adopted development plan, which comprises relevant saved policies in the Wrekin Local Plan and the Core Strategy (2006-2016).

The Council maintains its position regarding the significant supply of housing land that exists across the borough, comprising committed sites and sites identified in the current Strategic Housing Land Availability Assessment (SHLAA). Nonetheless, a reassessment of the five year land supply position, particularly in terms of the deliverability of committed sites within five years, has produced a lower, but more robust, delivery figure of 2.5 years. This reassessment was carried out in light of updated guidance issued in April 2013 by the Local Government Association on assessing housing requirements, the increasing number of appeal decisions and examinations nationally which were favouring a

more stringent approach to assessing the five year supply issue and one the Council needed to respond to pro-actively. Borough wide the authority is dealing with a shortfall in house building and has a 2.5 year supply, which is less than the required 5 years. This has implications for decision-making on planning applications.

Consequently this housing land supply position is different to the one reported for the other two large housing sites in Newport at Wellington Road and Land North of Audley Avenue that were approved in 2012 and more recently Land off Edmond Road approved in July 2013, where it was reported that the Council had more than a 5 year land supply for housing. The Council has recently published a 5 year Housing Land Supply Statement on the website, which explains the workings to this calculation.

Having a 5 year housing land supply shortage means that para 49 of the NPPF takes on greater significance as it states “Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.” This has implications for decision-making and means that with a housing land supply shortage, the Council’s existing policies guiding housing targets and build rates in Telford, Newport and the rural area (policies CS1, CS6 and CS7) cannot be regarded as up to date. While other Core Strategy and Local Plan policies considered up to date in the context of the NPPF will still apply to development proposals being considered and help exercise some degree of control, without a 5 year supply of housing land para 49 of the NPPF becomes a significant material consideration. This advises that without a 5 year housing supply “Housing applications should be considered in the context of the presumption in favour of sustainable development”.

Some objectors have raised concerns that the overall scale of new housing development being proposed in Newport is excessive, that the number of dwellings being approved is inappropriate for Newport and question why so many planning applications need to be granted. Whilst the Council’s housing supply policies are no longer considered up to date in light of the housing 5 year land supply shortage, using them will help demonstrate Newport’s housing situation and its need for new development.

There is a difference between “commitments” (those sites with planning permission but not yet built), those with a resolution to grant planning permission but the S106 has not yet been signed, and “completions” (houses actually built). Whilst there is a Borough-wide shortage of deliverable housing land and objectors may consider that the undeveloped land in Telford should be developed first before turning to Newport, it is necessary to realise that Newport itself has not seen the amount of growth expected by the Core Strategy and as a result Newport has a shortfall of delivery of new homes. This needs to be addressed by granting housing development in and around Newport.

Core Strategy policy CS1 sets a housing requirement for Newport of 60 dwellings to be built per annum. Over the last 7 years of the Core Strategy (from 2006 - 2013) 420 dwellings should have been built in Newport (i.e. 60 dwellings x 7

years). But according to the latest Annual Monitoring Report (2013) figures a total of only 265 dwellings have been built in Newport. This equates to an average of 38 completions per year, which is below the 60 per year required by CS1, and leaves a shortfall of 155 dwellings (420 - 265) during this 7 year period to date. This means that there is already a shortage in the actual delivery of new homes in Newport, in addition to the new growth that Newport needs.

Looking ahead for the next 3 years to the end of the Core Strategy in 2016, Newport will have to deliver the shortfall of 155 dwellings plus another 180 dwellings based on the housing requirements (i.e. 60 dwellings x 3 years) resulting in the need to deliver 334 dwellings. Over a 3 year period this would equate to the need to build 112 dwellings per year just to deliver the policy figure and address the shortfall currently evident. This is a significant increase on the completions trend of 38 dwellings per year between 2006-2013, identified above. So Newport already needs to play "catch up".

This proposed application for 350 dwellings is intended to be built out in phases over the next 11 years with an average of 30 dwellings built per year, although the exact number of dwellings built per year will depend on market conditions. The other large sites in Newport that have already been before the Planning Committee were also suggesting the same built out rates.

Even with the recent grant of 619 dwellings (from Wellington Road, Land North of Audley Avenue, Maynards Croft and Land off Edgmond Road) not all of these will be built for a number of years. There are several reasons for this, such as build-out rates (average 30 dwellings per year per site) and lead-in times as not all of the sites have full planning permission and those with outline consent need to obtain Reserved Matters consent prior to commencement. Market conditions can also affect the rate at which houses are built and sold and this cannot be predicted with precise accuracy (e.g. the recent down turn in the economy that began in 2008 and which is still impacting on the market). Historic build rates for Newport (that include the recent recession years) show that the 60 year build out target has not been met, with only an average of 38 dwellings having been built per year since 2006. All these factors can delay the building out of sites and affect the total number of houses being built overall. There also needs to be choice of housing for people to buy and therefore there needs to be a choice of housing sites - if one site proves unpopular with buyers, then the houses won't be built and sold and housing delivery stalls. Granting only one big site in Newport (delivering an average 30 dwellings per year) would be unlikely to deliver all of the homes needed in the next 3 years by 2016 (i.e. 334 dwellings) and beyond to 2026 and further to 2031.

Therefore there is a need for a number of different sites to be granted planning permission, in order to bring through and secure the minimum annual average build out rate for Newport of 60 dwellings per year set out in the Core Strategy policy CS1 plus the shortfall to meet continued need and growth.

#### **d) The need for affordable housing**

The proposed application will provide 35% affordable housing and officers would expect this to be spread across the site. The 35% provision is in line with policy

CS6 of the core strategy which states for Newport *“New housing development will be expected to deliver affordable housing to the level of 35% of all such development”*. This affordable percentage and level of housing (60 dwellings per annum) for Newport was derived from the Core Strategy Examination in Public.

When the Core Strategy was submitted for Examination in Public it pinpointed that the delivery of affordable housing was the critical determinant of the housing strategy proposed for Newport. The evidence to support such an approach was derived from documents such as the Housing Needs in Telford and Wrekin (2004) and its Summary Update (2005). The need for affordable housing in Newport was identified as the second highest in the Borough. The housing needs analysis identified that 22 new affordable houses per annum would be required to be built in order just to meet identified local needs within Newport. To generate 22 affordable houses per year requires 60 dwellings a year to be built (60 x 35%). The Inspector’s report following the Examination in Public endorsed the Council’s approach to the quantum of housing to be delivered in Newport over the Core Strategy period (60 dwellings per year). Indeed the Inspector enhanced the wording of policy CS6 by adding specific reference to the proportion of affordable housing required of new housing development at 35%, such was the importance of this aspect.

However, it has proved difficult to achieve the affordable provision in Newport, as most of the sites which have come forward over the plan period to date have been brownfield sites and below the 15 unit threshold for affordable provision (a threshold that was set in previous national Planning Policy Statement 3: Housing). Any affordable provision which has been achieved has mostly been on small infill sites, and there have been an average of only 6 affordable completions per annum over the last eight years. Opportunities such as these large schemes are therefore critical to meeting the long term affordable needs of the town and its rural hinterland.

In relation to the major applications submitted in Newport over the last 2 years as outlined at the start of this report, an update of the Strategic Housing Market Assessment (SHMA) has been prepared by the Council in 2009. Along with other more recent evidence (collated from the Telford & Wrekin’s Choice Based Lettings scheme, together with profiles of the existing affordable housing stock, the current housing market and the population of Newport) the SHMA supports the continued need for a high level of affordable housing provision in Newport and shows that this need has in fact increased over the last decade. An update of the SHMA is currently in progress and will be published in 2014.

The rise in property prices, together with consistently low incomes and difficulty in obtaining mortgages even when house prices have fallen has led to the current situation where local people, particularly young couples and families, have left the town to find accommodation elsewhere or remain in overcrowded and unsuitable accommodation. There are also many older people who need alternative accommodation. In particular the SHMA, updated in 2009, now shows that 124 affordable dwellings are required each year over the next five year period to meet the needs of Newport’s residents. This is considerably higher than the 22 affordable dwelling needed shown in the 2005 Housing Needs Summary Update,

but takes account of the lack of suitable existing provision and the backlog of need.

It was clear through the Core Strategy process that 35% affordable housing provision would only address a proportion of the affordable housing need in Newport. In reality, in order to meet the backlog of affordable need in Newport as well as newly arising need, a greater percentage would have been required. It is also clear from the 2009 SHMA that since the Core Strategy evidence base was produced, the need has increased and the affordable housing shortfall has worsened.

It is therefore essential to achieve 35% affordable housing in order to help meet identified needs and enable local households to remain in the area. This is in accordance with the Council's vision and objectives of helping Newport meet the needs of its local community, enhance its role as a market town and local service centre, as well as NPPF requirements of creating thriving communities, improving places where people live and work, creating sustainable patterns of development and delivering a wide choice of homes.

The provision of affordable housing will need to be secured through a s106 agreement. The terms of that agreement can include a requirement for eligibility of affordable housing to be based on local connections with the area, to ensure that local need is met, although this should not be used to be unrealistically restrictive.

#### **e) Employment**

The proposed mixed use development includes the provision of a large single site of some 4.5 ha of employment land, following demolition of the existing Audley Avenue Enterprise Park. The new provision will comprise a mix of building types and sizes for Use Class B1 (office and light industrial), B2 (general industry) and B8 (storage and distribution) offering a total of 18,000sqm. This breaks down approx. to 12,000sqm of large industrial & distribution premises (B2/B8 uses); 4,000sqm of smaller industrial premises (B1c and B2 uses), and 2,000 sqm of office (B1a).

The Wrekin Local Plan recognised that Newport was increasingly becoming a "dormitory" town with the majority of its work force commuting to work elsewhere. The Local Plan wanted to strengthen Newport's economic base and provide employment for its residents and immediate rural area, thus strengthening Newport's role as a market town. To this end, 3.05ha of employment land was allocated off Audley Avenue under policy E2.

The Core Strategy recognises that Telford itself has been the previous focus for most employment and that bias should be evened out across the Borough. New sites (when they are allocated) should be "improving access to work opportunities and reducing the need to travel". Para 9.19 of the Core Strategy, relating to "Jobs", states that "*Newport and the District Centres in Telford should be the focus for small and medium-sized employment development*". To support Newport's role as a market town policy CS6 states that "*The amount of available*

*employment land within the town will be increased in order to provide new local employment opportunities”.*

To inform the production of the new Local Plan, the Council commissioned Peter Brett Associates LLP (PBA) to carry out a review of employment space in Newport. A report entitled “Newport: The Need for Employment Land” was produced in 2012. Following on from this the Shaping Places Local Plan: Strategy & Options Document produced in the summer of 2013 has as one of its options to identify an additional 4 hectares of land for employment within or adjoining Newport, in addition to some 4 hectares of employment land that would be delivered through current planning applications approved or being considered, such as this.

The PBA employment report has been subject to recent review. It finds that the aims of the Council’s development plan, the saved WLP policies and Core Strategy policies all promote sustainable development for employment and economic prosperity and are consistent with the aims of the NPPF. However, additional employment land is required in Newport to help address out-migration, promote Newport’s economic prosperity and help it support its role as a market town and its rural hinterland. The report acknowledges that, given the demand evidence, it is very likely that the absence of supply is indeed frustrating otherwise achievable Class B employment growth in Newport. This runs contrary to the economic aims and policies of the development plan and NPPF.

The Council’s Cabinet agreed on 14th November 2013 to accept the PBA report findings and support the report’s conclusions, namely that Newport needs 8-9 hectares of additional Class B employment land over the period to 2031. Cabinet also agreed to the recommendation that the Council continues to pursue the objective of enhancing the economic performance of Newport by supporting opportunities for employment development and resisting non-employment uses that would reduce the overall provision of established and available employment sites in Newport.

The proposed new employment site of some 4.5 hectares of employment land would be created further south of Audley Avenue Enterprise Park, parallel to the A518. The proposal also involves the demolition of the two warehouses and Nova House office building at the Audley Avenue Enterprise Park, which are coming to the end of their economic life and are not well located to the by-pass. This land would become housing under the outline proposals.

The application is supported by an Employment Land Assessment, and this has been updated with an Addendum that takes into account the PBA report produced in September 2012. In turn, the PBA report passes comment on this outline application and the employment proposals and concurs that the quanta of employment proposed is justified by the demand evidence, and that whilst the proposed employment land will represent a limited contribution it will have a significant qualitative improvement on the existing supply.

The existing allocated employment land has remained undeveloped since it was allocated in the WLP and some objectors consider that this only serves to

demonstrate that there is no need for more employment land in Newport. Officers do not consider this to be the case and that the proposed 4.5ha employment land offers a significant step-change in overall quality. The proposed employment part of the site will offer a larger single site with a strategic access onto the A518 by-pass with the provision of a new roundabout, roadside frontage and greater visual prominence. These qualitative factors help to re-package the land as a more desirable economic prospect and without the proposed outline application is it very unlikely that the allocated site would come forward.

Therefore officers consider that the locational advantages of the reconfigured employment land, making one larger complete site, coupled with new contemporary design of buildings that the Design & Access Statement and Illustrative masterplan indicate, will significantly improve the profile and provision of employment land in Newport. In addition, the proposed mix of types and sizes of employment/industrial accommodation (that can be built to specific requirements) will offer a wider range of employment needs than the Audley Avenue Enterprise Park currently does and which will be demolished. Hence the economic base of Newport will be widened in line with the aims and policies of the WLP, Core Strategy and NPPF.

The applicant estimates that there will be the creation of approx. 359 full time equivalent jobs (although of these some 232 are likely to replace the floor space jobs on the existing Audley Ave Enterprise Park when units are demolished and relocated). This also addresses some of the concerns that previous permissions for housing now require to be balanced and supported by jobs. It is considered that this mixed housing and employment application will help provide a sustainable and mixed community that will avoid Newport continuing to be a predominantly dormitory town.

Officers consider that the development is vital to Newport's growth and to support its role as a market town serving a wide rural hinterland. It also represents a badly needed step-change in overall quality benefits to the employment provision in Newport. Officers therefore consider that the proposed employment provision - in amount, type and location - will bring a much needed boost to Newport's economic base and serve to enhance Newport's role as a sustainable market town, in line with development plan policies and the NPPF.

#### **f) Design Considerations**

This is an outline application that seeks to only establish the principle of development and broad design parameters. Matters relating to the detailed design of dwellings and buildings, their exact location, position of windows, boundary treatments, landscaping etc. will need to be submitted and considered in any subsequent Reserved Matters applications in due course, should outline planning permission be granted.

The NPPF has as one of its 12 core planning principles to "*secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*". Another principle is for development to "take account of the different roles and character of different areas promoting the vitality of our main

urban areas...”. The NPPF goes on to advise at para 59 that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

WLP policies UD2 and UD3 and Core Strategy policy CS15 all seek to promote good design and good concepts of “place making” to create “*Attractive, responsive and adaptable environments in which to live, work and play and are essential to creating sustainable local communities*” (para 9.76 CS15).

The agent has prepared a Design & Access Statement, with five character areas to reflect the relationship of certain parts of the site to their surroundings. From their analysis of the site’s constraints and opportunities, an indicative masterplan layout has been produced that demonstrates that a mixed development can be accommodated across the site, that will also integrate and complement the existing built up development of Newport on this countryside edge along a prominent roadside location.

A mix of dwelling types can be delivered on the site that would result in a range of densities across the site from 30 dwellings per hectare (dph) on the western parcel to 35 dph on the eastern parcel. Properties would be of a traditional brick and pitched roof construction, and most would be 2 storeys in height but with some two and a half and three storey units at appropriate locations and some bungalows. The Extra Care Home would be 3 storeys. There will be a range of house types and sizes to provide for 2, 3, 4 and 5 bed dwellings.

Whilst the design details of the scheme will be submitted later in any subsequent reserved matters application, the illustrative layout plan seeks to show an indicative arrangement of dwellings in perimeter blocks with a hierarchy of streets. Dwellings will be set back from the by-pass to ensure there is a visual buffer and soft edge to the development. The illustrative layout shows it is possible to site dwellings that should avoid direct overlooking/loss of privacy of existing properties and with adequate separation and orientation of properties. The outlook from some of the existing properties, particularly those closest to the site’s boundaries, will change as the land is built on. Officers consider that overall the amenity of existing residential properties will not be significantly adversely affected by the proposed new residential development.

The layout also takes advantage of the site’s southern aspect where possible to maximise the sun’s orientation and enhance the site’s sustainability. There is also a mix of informal and landscaped open spaces with ponds (for drainage) and equipped open space for reaction and leisure use. The designers have integrated existing landscape features into the scheme by the retention of trees and hedgerows where possible in accordance with WLP policy UD4 which expects landscape to be integrated into any design layout from the outset.

There is no doubt that the setting and approach to Newport, and the outlook from areas closest to its urban edge, will change as the arable fields between the existing built up edge of Newport and the by-pass are built on. But a change in outlook is not reason alone to refuse an application, when considered in the wider context of growth and sustainable development.

Officers are satisfied that the proposed indicative layout demonstrates that a suitable design layout, with mix of uses, housing types, and density, provision of informal open space and equipped children's play area, and a mix of road types will provide a form of development that will not be totally out of keeping with the surrounding existing development in the immediate area on this edge of town location and will not result in significant detriment to residential amenity. As such the proposed illustrative layout is considered acceptable to go forward to be worked up into a detailed scheme in any subsequent reserved matters application.

#### **g) Open space and play provision**

The application proposes some 6 ha of open space for public use. This comprises a grass sports pitch for dual use by Burton Borough School and the local community; a Neighbourhood Equipped Area of Play (NEAP) on the western parcel of site which will need to include a ball court and some wheeled sport provision such as a half skate park; a Locally Equipped Area of Play on the eastern parcel of land, and landscaped areas of informal open space with surface water features such as landscaped drainage ponds. The provision generally accords with the requirements of WLP policies LR4, LR6 and OL12 and the provision of new community facilities, such as sport, leisure and recreation facilities is a key aspect of the Core Strategy as set out in Policy CS10.

The Council's Parks & Open Spaces officer is generally satisfied with the provision, but seeks to ensure that either the land is properly managed by a management company, or that if the public open spaces and play areas are transferred to the Council to maintain that that there is adequate commuted sums payable through a s106 agreement, in accordance with WLP policy OL13 and WLP LR6. Conditions would also need to be imposed requiring approval of the design and details of the play equipment; that the equipped play areas are provided before the nearest houses are sold or occupied, and that there is a 30m distance between the boundary of the equipped play area and the boundary of the nearest property.

The development of the site will involve the loss of the fields between Newport's existing built edge and the A518 by-pass. However, as already discussed earlier in the report, WLP policy OL6 that refers to incidental areas of open space should not be used to assess this application as the land is not the type of open space that requires to be protected from development under that policy or under Core Strategy policy CS11.

At present the three existing public footpaths that cross the site provide only linear routes across fields. At the Village Green Inquiry for land which is the subject of the Station Road supermarket call-in inquiry, the Inspector found that there was insufficient use of the land for lawful "sports and pastimes", hence the village green application failed and the land was not awarded Village Green status. Officers consider that this application provides an opportunity to increase and enhance the type, amount and usability of public open space. The public rights of way will need to be diverted (a separate process from planning) and the detailed site layout that would form part of any Reserved Matters application

would need to consider creating appropriate re-routed footways are made as commodious as possible for user enjoyment.

The Council has commissioned several open space assessments. In 2008 there was the PPG17 assessment; in 2012 the Green Infrastructure Framework and more recently in December 2012 a quantitative review of open space provision for Newport, prepared by PBA Roger Tym. The latter review of open space in Newport shows that some open space categories exhibit a deficit and some an excess. However, the report concludes that overall “Newport is adequately provided for in terms of the quantity of space it can avail of in most of the identified categories. Notwithstanding this general conclusion, there is a need to address provision of open space for allotments and children’s play in the context of future development”. The site is proposing two areas of equipped children’s play (a NEAP and a LEAP) to appeal to a wide age range and is of adequate size and type.

The PPG 17 assessment identified land in the vicinity of the site, namely Baddley’s Wells and the Millwood Mere area, and set out a specific recommendation that “Baddley’s Wells natural area (Site ID 80) to the south of Newport could potentially provide an opportunity to combine the provision of natural open space with a more formalised park. The site is currently perceived to be overgrown and in need of improvement.” Policy PG9 of the assessment recommends that a natural park on the southern side of Newport is provided to complement the more formal Victoria Park in the town centre to the north.

In addition to the provision of landscaped informal open space and additional equipped play areas across the entire proposed site, the application scheme will specifically create an extension to the Baddley’s Wells and Millwood Mere areas in accordance with the aspirations of the PPG17 assessment. It will create a linking network of open spaces that will be increased and enhance public open space provision beyond the existing linear footpath provision. This betterment, with its wider community benefit, accords with NPPF aspirations in para 73 that “Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities” as well as Core Strategy policy CS11 that seeks to “enhance areas of open spaces, both formal and informal”.

The open spaces and play areas provided as part of the application are all linked by pedestrian and cycle access across the site as well as into the adjacent existing built up areas. This enhanced network link, together with the other open space provision serves to improve social inclusion and accessibility to such spaces, as required by Core Strategy policy CS9, and enhance community facilities, as required by Core Strategy policy CS10. This overall benefit and improvement to recreational and leisure provision is a material benefit to consider when assessing this application.

#### **h) Landscape, trees and visual impact**

The application will represent a sizeable built addition to Newport’s southern edge along the by-pass and approaches to Newport. However, as has already been mentioned, the Core Strategy Inspector acknowledged that areas of land on

the edge of Newport beyond its current built limit would have to be forgone to facilitate new housing development. Therefore the issue is whether the type and scale of development proposed in this application can be accommodated without significant harm to the setting of Newport.

WLP policies UD4 and OL12 expect new developments, amongst other things, to be appropriately landscaped into its setting; replace any footpath/cycle way links that may be lost; identify any positive features that should be included into the scheme. The applicant has undertaken its own detailed landscape assessment, which is set out in the ES, and carried out further arboricultural surveys. The land is generally low lying, gently sloping land with a high point to the south west near Church Aston. Much of the site is arable and lacks features of any significant landscape value and there are tree belts along the former railway line and along parts of field boundaries, including some species rich and historic ones. The studies conclude that the overall landscape context to the site is urban fringe in character, with other urban influence of roads, the by-pass, industrial estate and buildings.

With regard to the landscape sensitivity and capacity of the application site, reference to the Telford & Wrekin Council Landscape Sensitivity and Capacity Study published in May 2009 is the most relevant starting point for consideration of this issue. This study aimed to assess the sensitivity of the landscape for defined areas around Telford, Newport and other settlements in the Borough. It then sought to determine the capacity of the landscape to accommodate housing development sites identified as part of the 2008 SHLAA and to identify those landscapes that should be protected from development. The study is due to be updated next year. The existing study identifies one area of land that forms part of the eastern parcel of the application site, and a site that encroaches on the edge of the western parcel. The eastern parcel of land (allocated number TWNe2-89) was identified as having medium to low landscape sensitivity and a medium capacity to accommodate housing and part of the western parcel (allocated number TWNe1-87) as having medium to low landscape sensitivity and a high to medium capacity to accommodate housing. Therefore with both parcels of land having medium to low landscape sensitivity and a high to medium capacity to accommodate housing, the development proposal is not at odds with the landscape sensitivity assessment and would appear to be acceptable in broad landscape terms.

As this is an outline application and "landscaping" is a reserved matter, the details of any specific planting and landscape mitigation measures will be submitted and assessed in any subsequent reserved matters application. WLP Policy OL11 seeks to retain and enhance the contribution that trees make to the landscape. The proposed development proposes that the majority of existing hedgerows will be retained and enhanced with native species planting. The Council's arboricultural officer has recommended various conditions to protect existing trees that will be retained and deal with new planting. The site already benefits from good mature hedgerow screening along the A518, which will be retained to help to screen the existing residential edge to Newport. On the western parcel this will remain and provide screening from the road and help the new development be better assimilated into this urban/countryside edge. In

addition, the new development is shown set back from both the A518 and Station Road frontage and will be largely screened by the existing tree and hedgerow belt along the site boundary with the road. Undoubtedly in winter, when leaf cover is significantly reduced, the development will be more visible but due to the set back and the existing low sensitivity of the landscape character the impact will not be significantly detrimental to warrant refusal. Should outline consent be granted, the reserved matters applications will need to focus carefully on the detailed design and orientation of buildings to ensure that they address the gently sloping on the western parcel as the land slopes up towards Church Aston.

On the eastern parcel there is an area of land adjacent to the A518 by the "sheep" roundabout that does not form part of the application. However, this serves to push the new housing some even further back from the road edge. Although there is no control on this roadside hedge, if it remains it will afford a good degree of screening. The new roundabout off the A518, that will provide access to the new employment area and housing, will open up this stretch of roadside and the employment land and buildings will be more visible. However, this roadside boundary along the eastern parcel of the site is not so heavily screened and the existing employment buildings off Audley Avenue, including the towering silos of the Mornflake factory, are clearly visible.

The relatively low lying nature of the site, the existing residential and industrial adjoining areas and the existing tree/hedgerows surrounding the site will ensure that the overall visual impact of the development will be restricted over short-term localised distances, and overall the development can be accommodated in the landscape without significant adverse visual impact on the setting of Newport.

#### **i) Highways Impact and Transport**

The proposal involves the creation of a roundabout on a slightly re-aligned Station Road at the entrance to the site. This will be a three-arm roundabout (although a fourth arm may need to be added if a nearby housing application also off Station Road TWC/2013/0885 is granted - that applicant is aware of the Station Road proposals). A short section of road off the new roundabout leads to another but smaller roundabout. This has 2 arms leading into the housing site and the potential to attach a fourth arm to the north to lead into the possible supermarket application site (TWC/2011/0916). The removal of the supermarket has not fundamentally changed the Highway officer's comments from when he considered the scheme with the supermarket and his recommendation is basically unchanged, namely support with conditions. Therefore there are no issues regarding the capacity of the highway network and workings of the junctions, even when considering the cumulative effect of the various other applications that have been approved. However, as with those applications, proportional S106 contributions will be required to fund improvements to parts of the A518 and the roundabouts onto it and the A41.

The developer intends to divert local bus services into both parcels of the site and new bus stops are shown, which will increase connectivity and public transport access between the site and the town centre. A S106 bus subsidy contribution would be pooled with similar contributions from the other recently approved sites to provide this enhanced bus service.

There will also need to be funding towards various elements of highway infrastructure around the Newport bypasses; physical highway works required for access under S278 Highways Act and to include Traffic Regulation Order (TRO) to extend the Station Road 30mph zone; public transport infrastructure and bus subsidy contribution and diversions of part of the PROW network and provision of footway improvements. The funding monies will need to be secured through a Section 106 agreement and this is detailed later in the report.

**j) Drainage, flooding and other ground conditions**

The applicant has undertaken a Flood Risk Assessment and the area is not deemed to be at risk from flooding and the Environment Agency has no objection. (Note - the Environment Agency did have previous concerns about the petrol station and its possible impact on the water aquifer, but the petrol station no longer forms part of this application).

The developer has considered surface water and foul drainage of the development and sought to reduce discharges, with various attenuation measures, such as the ponds and sustainable drainage (SUDs) across the entire site. Whilst the site lies over an important aquifer, the public water supply borehole at Baddley Wells and the aquifer will remain unaffected by the development, and again the Environment Agency has no objection.

Any detailed reserved matters applications will require more detailed drainage calculations to be undertaken and this can be conditioned, as is usual on most planning applications of this nature.

Following residents' concerns that the existing sewerage network and water supply would be adversely affected by the collective amount of housing from the three large housing applications that were submitted back in 2011, planning officers advised Severn Trent Water (STW) of the potential housing growth for Newport and they produced a position statement taking into account the cumulative impact of the housing applications at the time. The two issues below are considered in STW's Position Statement:

**Sewage Treatment.**

STW confirms that the foul and combined sewerage network within Newport drains to the town's sewage treatment works (STW). Foul flows arising from the proposed new development would enter the existing sewerage network and therefore would ultimately drain to Newport STW. They stipulate that the sewerage network capacity problems highlighted by Newport residents are not linked to the capacity of the STW.

Newport STW currently has spare headroom to accommodate approximately 670 new dwellings within its current "discharge consent". This indicates that there is spare headroom to accommodate the early phases of the proposed development across the developments proposed in Newport within the existing STW discharge consent. Accommodating the proposed number of dwellings in Newport would require a revised "discharge consent" to be agreed with the Environment Agency, but subject to detailed discussion this is not envisaged to be an issue. The

current treatment process is performing within its current quality parameters and is expected to have some additional treatment capacity to accommodate the later phases of development. Further detailed process design analysis would be required to confirm actual treatment capacity. Any additional capacity would be provided on the site of the existing STW.

Severn Trent would work with the Environment Agency to ensure that the impacts of treating additional sewage on the water environment are minimal. The impacts of treating additional sewage on air quality will be negligible. Severn Trent states that they will continue to work with the Environment Agency, Natural England, Telford & Wrekin Council and individual developers to manage the impact of new development on the STW and ensure that additional capacity is provided if and when required.

#### Water supply

With regard to water supply, STW confirms that Newport forms part of the Telford water supply area. Water mains may need to be upgraded to supply the proposed development and a study is being undertaken to identify long term infrastructure requirements to support new development in the area. STW says they will continue to work with Telford and Wrekin Council to manage the impact of new development on water supply infrastructure.

The impact of new development on water and waste water infrastructure can be managed through reduced water consumption. Severn Trent recommends that developers are encouraged to adopt water consumption in line with Code for Sustainable Homes Level 3 or better (i.e. maximum of 105 litres per person per day). This would reduce the demand for water and in turn reduce the amount of foul water entering the sewerage network.

At the end of their Position Statement STW recommend that Telford & Wrekin Council prepares a Water Cycle Study to ensure that all aspects of the water cycle and associated infrastructure are considered for the administrative (Borough wide) area. This would enable an early appreciation of any investments in infrastructure that may be required, which can be planned accordingly. As part of the evidence base to support the new local plan (Shaping Places) the Council intends to carry out a Water Cycle Study, which will assess the likely water infrastructure needs relating to future growth up to 2031. However, the absence of a Water Cycle Study at this moment in time does not preclude the determination of any applications before the Council.

In relation to ground conditions, most of the site is greenfield land, apart from the brownfield site of the Audley Avenue Enterprise Park. Environmental health officers have identified that there are two known landfill sites within proximity of the development, which pose a constraint to the development, and the north eastern most part of the site is currently industrial land, which also poses a constraint. As a result standard land contamination conditions will need to be imposed.

#### **k) Noise and Air Quality**

Noise and air quality information is now contained in the revised ES and has also taken account of concerns raised by Morning Foods about the potential implications of noise from their site adjacent to the Audley Avenue Enterprise Park. There will be different noise arising from the construction part of the development, road traffic, and from when the development is finished and operating.

The site is surrounded by a number of different land uses - residential, employment, nearby cemetery, the by-pass. Concern has been raised that residential development in the Audley Avenue location may lead to conflict between these uses. The concerns raised relate to both negative impacts on those who would live in houses in terms of noise, air pollution and wider residential amenity, but also that any such negative impacts may result in future residents complaining about industrial operations that could consequently could lead to restrictions upon those operation or result in further costs placed upon them. Para 123 of the NPPF seeks to ensure that new development does not cause undue noise, but also recognises "that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of change in nearby land uses since they were established".

The applicant has been in discussion with the Council's Environmental health officer to agree a monitoring methodology and in considering the noise impact issues relating to Mornflake site. Assessment was also made of noise from Morning Foods if they fully carried out a planning permission, granted back in 1992, for storage units and fencing along the site boundary with Morning Foods.

The noise assessments conclude that with the use of mitigation measures, such as enhanced glazing etc, the impact will be low. During harvesting, when Morning Foods silos work more frequently, some of the gardens fronting the morning Foods site are likely to experience higher noise levels, but considering the seasonal and temporary nature of the noise source, the impact is considered acceptable overall.

The applicant has also considered the cumulative effect from other development sites being constructed at the same time, as a worst case scenario, and the combined effect of the other developments when they are built. It is concluded that cumulative construction noise and traffic will not have any significant effect, nor will the operational noise traffic when the developments are built out. At this stage the need for piled foundations cannot be ruled out, so the applicant has carried out an assessment of potential vibration effects. Moderate adverse effects have been predicted, but this is not a reason to refuse planning permission. Planning conditions can restrict construction hours to 7.30am - 6pm Monday to Friday, 8am - 1pm on Saturdays and no working on Sundays or bank Holidays, unless there are exceptional circumstances. Many construction companies and house building firms operate a "Considerate Contractor" type of operation, to limit the amount of noise coming from site.

The proposed employment site will include Class B1, B2 and B8 uses. As this is an outline application, there are no details of the end users of these proposed

premises so it is not possible to know what businesses will operate from the site. If noise levels cause Statutory Nuisance then Public Protection will be under a legal duty to take Enforcement Action. However, Class B1, which includes light industry, are generally those which are capable of being carried out without detriment to the amenity of any residential area by reason of noise, vibration, smell, fumes, smoke, ash, dust or grit. Class B2 (General Industrial) operations are more capable of being detrimental to the amenities of sensitive receptors (e.g. dwellings). However these uses currently operate in the general vicinity of the site and it is not unusual or uncommon for employment and residential uses to sit side by side as well as in the vicinity of main roads. In addition, officers consider that the illustrative layout tends to show the B1 type office uses closest to the new residential development, and the more industrial type premises further away and close to the existing industrial premises along Audley Avenue. The location of the types of development can be further controlled in the submission of any subsequent reserved matters application, should outline permission be granted. Mitigation measures such as the landscaped buffer and additional glazing can be introduced to the dwellings closest to the by-pass.

There are no grounds for objection in relation to air quality, and there are existing dwellings in Newport that are already sited similar distances away. Natural England has no concerns that any additional traffic will cause adverse air quality conditions that could harm the European protected Ramsar site at Aqualate Mere.

Officers consider that any potential conflict with adjoining land uses is limited and adjacent uses do co-exist with residential developments in other areas. There are no noise sources or issues that would be so significant or could not be dealt with by condition as to warrant the application refusible.

### **I) Other infrastructure & community facilities**

When the application was originally submitted it was one of several major planning applications currently being considered by the Local Planning Authority that would result in some 850 new dwellings for Newport within a similar time frame (Land off Wellington Road and Land to the north of Audley Avenue). Having regard to the scale of development and the representations received from local residents, it was considered prudent to consider the cumulative effects of the proposed developments in relation to provision of physical and social community infrastructure, such as the impact on schools, dentists, water supply etc.

The Local Planning Authority has taken the unusual step of contacting the following consultees and seeking their views on the cumulative impact of the major developments proposed in addition to those recently granted or where the Plans Board have recently made a resolution to grant permission:-

- Western Power Distribution (electricity infrastructure);
- National Grid (gas infrastructure);
- Severn Trent Water (waste water treatment and water supply);
- Telford & Wrekin Primary Care Trust (Doctors and Dentists);
- TWC Education (Primary and Secondary School provision);
- TWC Parks and Open Spaces (Public Open Space provision).

### *Electricity*

With regard to all three major applications under consideration, Western Power Distribution (WPD) comment that there is spare capacity at their Newport primary substation located at Longford Road (next to Vauxhall Farm) and both 11kV feeders, called "Longford Rd Tees" and "Ford Road/Vauxhall ABI".

WPD state it would only be necessary to overlay part of the 11kV cables, which would feed new developments and which are mainly located in the footpaths in the adjacent area. They would deal with requests to connect to their network as they come in from developers and they do not predict any particular problems with this development area.

Regarding planning permissions which have already been granted for developments at Bromfield Road (TWC/2011/0179), former Newport Business Park on Audley Road (TWC/2011/0334) and Continuing Care Retirement Community (W2008/0934), WPD will deal with them in the same way.

### *Gas*

The proposed areas of development have been checked and currently no major problems to the network are predicted, other than for one development for the North and South of Station road. Should this site be fully built then major reinforcement works will be required in the area. We will deal with requests to connect to our network on an individual basis as they come in from developers.

### *Doctors and Dentists*

The Primary Care Trust (PCT) has estimated that if all the major applications before the Council as of 2011 (Station Road, Wellington Road and North Audley Avenue) including those where a resolution to grant permission has recently been given) then there would around 2,800 new patients between 2012 and 2024. Calculations based on the existing capacity of the two Doctor's Surgeries in Newport and the possible number of new patients is detailed in the consultee section of the report. The conclusion of the PCT is that the overall impact of 2,800 patients on the two existing surgeries would be acceptable.

Whilst the position of both practices in Newport are currently suitable the PCT state that healthcare standards and regulations need to be met and premises would need to be kept up to date and with the forthcoming Care Quality Commission (CQC) registration (April 2013). As such both practice premises will require some improvements and minor modifications in the future to ensure premises and provision comply with CQC registration. With regard to these requirements the PCT have requested some additional funding from the proposed developments to support the Newport practices and ensure they can accommodate the future increases to the population via the Community Infrastructure Levy (CIL). Whilst this is recognised, it is not considered reasonable to ask the developers for monies for improvements to the existing facilities in order to meet CQC requirements as these are not directly linked to the developments themselves. In addition the Council does not currently have an approved CIL schedule.

With regard to dental provision, as the PCT does not have an up-to-date Oral Health Needs Assessment Document, capacity for dental provision is measured against performance against contracted activity. There are currently 4 Dental Practices/Contracts in place in the Newport Area. Two of these contracts persistently underperform which indicates that there is additional capacity for patients in the area. The Local Authority and the Primary Care Team at the PCT – soon to be the Local Office of the National Commissioning Board should work together to monitor current provision/capacity and put in place expanded capacity as and when the need arises. Unlike GP surgeries, dental practices do not have boundaries and so patients can be seen at other practices within Telford and Wrekin.

It is concluded that there is sufficient medical and dental capacity in relation to needs that might be generated by all of the residential developments under consideration by the Council in Newport.

### *Education*

As detailed in the consultee section of the report above, the number of planning applications being considered by the Council in Newport has resulted in TWC Education preparing a “Position Statement”.

This details the current situation in the Newport catchment whereby there is already an existing oversubscription at Secondary School level and surpluses at Primary School level falling below 5% by 2014. In line with the Audit Commission’s review on the supply of school places, a school should be considered to be at full capacity when at 5% surplus capacity or less.

In light of the circumstances as described above, the amount of development proposed by the four major applications would generate extra pupil numbers that would then give rise to the need for additional or expanded school infrastructure which would be necessary in planning terms but are not provided for in the application. In this situation it is considered acceptable for contributions to be sought towards this additional future provision through a planning obligation.

Where the combined impact of a number of developments creates the need for infrastructure, it is considered reasonable for the associated developers’ contributions to be pooled, in order to allow the costs towards the educational infrastructure to be secured in a fair and equitable way and to avoid a situation where contributions are burdened on later developments that may make them unviable.

With respect to contributions for school infrastructure, an indicative combined figure for Secondary and Primary provision has been calculated based on an average house size of 3.3 bedrooms and the pupil numbers this would generate. This allows for a combined contribution figure of £2,176,196 to be divided by the number of dwellings proposed for each development so each site contributes to the needed school infrastructure in a fair and equitable manner. This figure equates to £2,464.55 per dwelling, making a total contribution of £862,592.50 for this site based on the proposed 350 dwellings.

Details on when such monies would be provided to the Council could be subject to negotiation if permission is granted. This would reflect the need for a balance between the need for funds to deliver the necessary educational infrastructure and to help developers with cash flow in delivering a viable scheme. As with other education contributions, the Council would expect the agreed sums to be subject to indexation to ensure future value is not eroded by inflation.

Currently some schools, for instance Moorfield Primary, are oversubscribed with pupils who are from outside their own attendance area, but are still living within Newport. If new development is located in close proximity to such a school (such as with the Wellington Road site and Moorfield Primary), then the pupils generated by the new housing would over time displace those living further away but who are still within the Newport boundary. These pupils will then have to seek places either at their own local Newport school or schools outside of the area. In these cases, it may in fact be necessary to provide additional accommodation at schools which have no new housing development within their own geographical attendance area in order to ensure that there are sufficient places.

In light of the Council's further enquiries with regard to the provision of physical and social community infrastructure (regarding not only this application but the cumulative effects of the major proposed developments that have been submitted), it is concluded that there is either sufficient capacity that already exists or that such capacity can be feasibly upgraded to permit the grant of permission for the all developments proposed in Newport. Contributions to meet the need for educational infrastructure resulting from an increase in pupil numbers for permitted housing can be secured through a Section 106 agreement.

#### **m) Ecology & protected species/sites and archaeology**

##### *Ecology*

There was a criticism at the outset of this application that it did not contain adequate ecological information. Consequently, and, as part of the full supermarket application, the Council commissioned a separate ecology report to ensure that the Council was discharging its responsibilities as a decision-maker. However, this amended application has now updated the ecological assessments and desk studies, including up-dating the baseline data. An Extended Phase-1 habitat survey was completed this September and updated previous surveys carried out in February and August 2011. This amended information is set out in the revised Environmental Statement.

The NNPF expects the planning system to conserve and enhance the natural and local environment by, amongst other things, "minimising the impacts on biodiversity and providing net gains in biodiversity where possible ...". When determining planning applications the NNPF asks local planning authorities to apply various principles in order to conserve and enhance biodiversity, which include refusing planning permission if there is significant harm that cannot be mitigated against or compensated for, or where irreplaceable habitats are lost or destroyed, but encouraging opportunities to incorporate biodiversity in and

around developments. Core Strategy policy CS12 is already in conformity with the NPPF on this.

The site is predominantly arable and has been subject to continuous cultivation with margins. The ES comments that “The arable field represents a widespread habitats type that is typical of the surrounding landscape and the intrinsic value of which is important at only a low/negligible (site) level”.

Amphibians, badgers, bats, birds and reptiles will be protected during construction and conditions will be imposed to secure habitat improvements, e.g. installation of bat and bird boxes. There are 2 ponds within the site. Whilst pond 1 does support a good range of aquatic plants, including the water-purslane which has not been previously recorded in the area, neither pond are considered exceptional and are unlikely to qualify as a Countryside Wildlife Site or a Habitat of Principle Importance. At best pond 1 would be considered to be of moderate (district) importance. Ponds 1 and 2 have ‘below average’ and ‘poor’ habitat for Great Crested Newts (GCN).

There will be the loss of some woodland, semi-improved grassland, mature trees and sections of hedgerows, but the scheme seeks to retain many existing ecological features, such as hedgerows, trees, and an ephemeral field pond. The habitats to be lost have local value but, aside from the hedgerows and T81, are not habitats of principle importance and their loss will only have a local impact. - the mitigation offered in terms of native species planting, wildflower seeding and new wetland features offers a new biodiversity gain on the site and within the local area that will serve to mitigate against and compensate for the loss of some of these habitats in line with policy and NPPF guidance. The Council’s ecologist has requested some additional clarification on badgers, reptiles and pond 1 and recommends various conditions and informatives, should the application be approved.

The site itself is not a statutorily or locally protected wildlife or conservation site and is not a “sensitive” site as defined in the Environmental Impact Assessment regulations. However, with regards statutorily designated nature conservation sites located within 5kms of the site, there is the nearby Aqualate Mere (part of a European protected Midlands Meres & Mosses Phase-2 RAMSAR site of international importance) and the Newport Canal Sites of Special Scientific Interest (SSSI). As a result an assessment must be undertaken to see how the proposed development will impact on these protected habitats. Hence a Habitat Regulations Assessment (HRA) has been carried out. Natural England have confirmed that they are satisfied that either alone or in combination with other plans or projects, the proposal would not be likely to have a significant effect on the important interest features of the West Midlands Meres and Mosses (Phase 1 and Phase 2) Ramsar Sites or any of the special scientific interest features of the Aqualate Mere or Newport Canal SSSI.

#### *Archaeology*

The ES comments on the archaeological heritage of the site. The assessment for the proposed development has identified several likely and possible sites and finds of interest, which include a small area of earthwork ridge and furrow in the

vicinity of Black Butts field close to Station Road, with a further area of ploughed out ridge and furrow likely to survive to its south, and stray finds of Roman and post medieval date. However, the proposed development would have little if any effect on the settings of designated heritage assets. Mitigation measures, such as topographical and geophysical survey in the first instance, possibly followed by further fieldwork if appropriate and necessary are proposed. Conditions can be imposed requiring such measures and any archaeological watching briefs if necessary.

#### **n) Sustainable development**

In assessing the application consideration must be given as to whether the proposed development and its location are sustainable, as the NPPF advises in para 14 that sustainable development is the “golden thread” running through decision-making and which is set out in earlier sections of this report.

The site is located immediately adjacent to the built up boundary edge of Newport, an historic and established market town. The Council seeks to promote Newport’s role as a market town and for supporting its rural hinterland. To do this it needs to be economically buoyant and become less of a dormitory town. New housing is therefore needed to provide continued growth within the Borough in line with the Council’s aims and spatial objectives - and with a five-year housing land supply shortage refusing housing planning applications is now more difficult for LPA’s.

The applicants have considered the social-economic impacts of the proposed scheme, which is detailed in the ES. It makes reference to the NPPF’s overarching aim of achieving sustainable development with the three mutually dependant economic, social and environmental components. The methodology looks at employment, economic activity, growth, housing, green infrastructure and open spaces, education, health provision et al. It concludes that overall the development will result in positive socio-economic impacts across Newport and the wider Borough without putting excessive additional pressure on local infrastructure.

The site is located adjacent to main transport links into Newport and which connect Newport to Telford and Stafford and beyond. The site is approx. 1km from the centre of Newport, and there are easy and safe pedestrian and cycling links to and from centre of Newport, and public transport, making the site accessible by a choice of means of transport. In addition the development will also create pedestrian and cycle access across the site, especially from the far west to Station Road and to the new employment areas beyond, as well as to the leisure and recreation areas being provided. Being located adjacent to Newport, there is convenient access to Newport’s range of facilities and services, including schools and health facilities and nearby Harper Adams University (at Edgmond) which is a significant educational and employment facility.

The proposed development includes a range of housing sizes, type and tenure, including Extra Care Housing for the elderly to help “create sustainable, inclusive and mixed communities” as advocated by para 50 of the NPPF. The provision of 4.5ha of employment land for a mix of buildings and business types will offer a

significant qualitative improvement on the existing provision at the Enterprise Park and the allocated employment site. This will help improve job opportunities, business productivity and employment facilities in Newport, and boost the town's economic base making it a more self-sustaining settlement and reduce out-commuting and the need to travel. Also Newport has a significant ageing population so introducing both new housing and new employment opportunities within Newport will help re-balance the demographics and create a more mixed and sustainable community, and bring with it economic, and social benefits that will in turn will help maintain the vitality and prosperity of Newport's town centre. This accords with the policy aim of promoting Newport's market town status and the NPPF's focus on promoting sustainable development.

#### **o) Planning obligations - S106 contributions**

With regard to planning obligations, the consultations received in relation to this application have highlighted the need for contributions relating to the provision of affordable housing, highway works and public transport, and possible future adoption by the Council of the public open space and associated SUDs features, public art.

In the responses from Council Officers in respect of Highways and Education, the combined impact of a number of developments creates the need for a greater level of infrastructure, therefore it is considered reasonable for the associated developers' contributions to be pooled. This approach allows the cumulative costs towards such infrastructure to be secured in a fair and equitable way and to avoid a situation where contributions are burdened on later developments that may make them unviable.

However, such cumulative costs are by no means assured as they have been based on a level of development proposed in the other major applications pending consideration by the Council in the Newport area. In essence they represent a maximum contribution that would be required from this applicant in contributing to the cumulative impacts that have been assessed as arising from a number of developments in Newport. If some of these other developments do not come forward then it is fair that a review mechanism exists within a Section 106 agreement so that, within a timescale to be agreed and set out in the required Section 106 agreement, the position can be re-assessed as to whether the applications under consideration have been or are likely to be granted or implemented, and if they have or are, allow for the return of some of the funds to reflect a lower level of impact arising from developments granted. This may even be to the point where impacts are only assessed to this particular application in isolation if it is the only one approved by the Council.

Therefore, the precise amount of Section 106 payments for certain highways and education contributions will depend on whether this application comes forward alone or in with the other applications that have been granted or resolved to be granted. In addition there are other variables that can only be considered when details accompanying any Reserved Matters applications are submitted, for example, the precise number and size of houses in relation to calculating education contributions.

There will also be a need to consider phasing of the development either in the S106 or via planning conditions.

The S106 contributions are expected to be:-

- Affordable housing = 35%
- Off-site highway infrastructure = £820,596.
- Public transport infrastructure e.g. bus stops= £10,000.
- Public Rights of Way = £7,500
- Public transport service enhancements i.e. bus service = £360,000
- Commuted maintenances sum for the Station Road PUFFIN crossing = £tbc
- Travel Plan monitoring = £10,000 (comprising £5,000 (C class uses) + £5,000 (B class uses)).
- Education = £862,592.50 (i.e. £2,464.55 per dwelling)
- Public Art = to be agreed
- Open space/landscape maintenance = to be agreed
- S106 Monitoring: 5% of total financial costs

#### **p) Referral to the Secretary of State**

Should Plans Board be minded to approve this application, the National Casework Planning Unit has requested copies of the relevant documents be passed to them to allow an assessment to be made, before any notification is issued to the applicant. This is to allow consideration of whether there are any issues significant enough nature to warrant intervention from the Secretary of State that is, to “call in” the application.

#### **CONCLUSION**

The Borough does not have a 5 year housing land supply and this is a significant factor in determining this application. Because of this, the NPPF rules that the Council’s planning housing target policies cannot be regarded as up to date and therefore unless the site is unsustainable, it should be approved.

The site is not a designated or protected wildlife site and the development will not have an adverse impact on the nearby RAMSAR site (Aqualate Mere). The applicant’s ecology survey and the Council’s Ecology officer are satisfied that there is no protected flora or fauna on the site that that would prevent development, and which cannot be dealt with by proposed mitigation measures or planning conditions. In addition there will some benefits of increased biodiversity across the site as a whole.

Other benefits include a range of house types and sizes, including provision of 35% affordable housing and Extra Care housing for the elderly to create a mixed community. The site, which is located on the edge of Newport adjacent to the existing limit of housing and employment, is easily accessible by a choice of modes of transport (car, walking, cycling and public transport access). The provision of 4.5ha of employment land with a range of sizes and types of industrial Class B1, B2 and B8 employment opportunities will provide a significant qualitative improvement of new and more “fit for purpose” employment land and buildings that will off-set the demolition of Audley Avenue Enterprise Park and

help address the current imbalance of poor quality employment provision and help bolster the economic base of Newport and promote its status as a market town.

The existing infrastructure and services/facilities (such as schools, doctors, sewerage, gas, water and electric supply) can accommodate the proposed development with little or no affect and the development will result in positive socio-economic impacts. Officers are also satisfied that the proposed indicative layout demonstrates that a suitable design layout, with mix of uses, housing types, and density, provision of informal open space and equipped children's play area, and a mix of road types will provide a form of development that will not be totally out of keeping with the surrounding existing development in the immediate area and will not result in significant detriment to residential amenity or the site's landscape setting on this edge-of-settlement land. As such the proposed illustrative layout is considered acceptable to go forward to be worked up into a detailed scheme in any subsequent reserved matters application.

For the reasons set out in this report, officers consider the proposal to be sustainable. In light of the Council's shortage of a 5 year housing land supply there are no significant material considerations that should be afforded greater weight to warrant refusal of this application. The Local Planning Authority has assessed the Environmental Statement submitted with the application and has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and representations that have been received, and subsequently determining to grant planning permission, subject to conditions and a S106 agreement, in accordance with the presumption in favour of sustainable development as set out in the NPPF and local policies in the Wrekin Local Plan and Core Strategy.

**RECOMMENDATION:** That the application be referred to the Secretary of State and if there is no objection or no request to call-in the application within the prescribed time period the Development Management Manager be authorised to **GRANT OUTLINE PLANNING PERMISSION** subject to a prior Section 106 Obligation that secures the following covenants: 35% affordable housing; £820,596 for off-site highway infrastructure works; £10,000 for public transport infrastructure; £7,500 for Public Rights of Way; £360,000 for public transport service enhancements; £10,000 for Travel Plan monitoring (comprising £5,000 (C class uses) + £5,000 (B class uses)); Commuted maintenance sum for the Station Road PUFFIN crossing to be confirmed; a sum to be agreed for Public Art (to the value of £100,000); £2,464.55 per dwelling towards primary and secondary education facilities; Open space/landscape maintenance sums to be agreed, depending if land to be transferred to the Council; S106 Monitoring fees, and the following conditions (any others that the Development Management Manager subsequently deems necessary in order to secure an acceptable form of development):-

1. A01 Time limit - Outline
2. A03 Time limit – Submission of Reserved Matters.
3. B02 Standard outline some matters reserved.

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|-----|----------|--|
| 4.  | B10      | Details of materials.  |
| 5.  | BCustom  | Details of NEAP, MUGA and Allotment area (including access path from within the development to the former and point of access to the latter from within the site).                                     |
| 6.  | BCustom  | Phasing plan for the development.  |
| 7.  | BCustom  | No dwellings to be built overlooking NEAP until such a facility has been provided.   |
| 8.  | B121     | Landscape design.  |
| 9.  | B126 &7  | Landscape Management and Maintenance.  |
| 10. | B125     | Details of earthworks to including for a gradual grading of the land within the application site boundary, where it adjoins the northern boundary of the cemetery extension land if necessary.         |
| 11. | BCustom  | Highways details as specified by Highways Engineers (including Travel Plan).   |
| 12. | BCustom  | Detailed Scheme of Noise Attenuation Measures for dwellings.   |
| 13. | B57      |  |
| 14. | B150     |  |
| 15. | BCustom  | Land contamination.<br>Site Environmental Management Plan for construction works.  |
| 16. | B130     |  |
| 17. | B131     | Details of surface water drainage to include requirements specified by Drainage Engineers and Environment Agency.  |
| 18. | B134     |  |
| 19. | B132     |  |
| 20. | B133/5/6 | Tree protective fencing.   |
| 21. | BCustom  | Trees Services root protection.  |
| 22. | BCustom  | TPO Extent of works  |
| 23. | B141     | Trees No Dig Method.   |
| 25. | C76      | TPO Replacements, Planting details and Scheme.   |
| 26. | C79      | Scheme of sustainable construction with regards to housing.  |
| 27. | C70      |  |
| 28. | C71      | Details for the erection of bird boxes.  |
| 29. | C72      | Ecological Mitigation and Method Statement.  |
| 30. | DCustom  | Landscape Implementation hard and soft.  |
| 31. | DCustom  | TPO Tree Suitable Contractor.  |
| 32. | DCustom  | Trees – no burning.<br>Trees – Soil levels.<br>Trees – Material Storage.   |
| 33. |          | Maximum number of dwellings permitted to be 215 units.<br>Development in accordance with deposited plans.<br>Controls over industrial area such as no outside storage, restrictions on use class order |

Construction hours

Informatives:

I106 – Section 106 agreements

I40 - Conditions

I44 – Reasons for grant of outline consent

Other various infromatives including ecology, fire

