

TWC/2015/0949

Land east of The Blue Pig, Capewell Road, Trench, Telford, Shropshire
Erection of 18no. semi detached and 3no. detached dwellings and widening of off-site localised road to create passing places and improvements

APPLICANT

Tellord Homes Ltd

RECEIVED

15/10/2015

PARISH

Oakengates

WARD

Wrockwardine Wood and Trench

OFFICER Daniel Owen

OBJECTIONS RECEIVED: Yes

1. PROPOSAL

1.1 This is a full application for the erection of twenty one houses on a vacant area of land to the east of the Blue Pig Public House and to the south west of the Teagues Bridge Primary School. All of the houses would be two-storeys in height with three bedrooms, private rear gardens and a minimum of two car parking spaces. Vehicular access would be provided from Capewell Road to the south of the site and the proposal includes some improvements to this road. A pedestrian link would be provided to the existing footpath that runs along the northern edge of the site to Capewell Road.

2. SITE AND SURROUNDINGS:

2.1 The site is located between Trench, Hadley and Oakengates towards the north of the urban area of Telford. The Teagues Bridge Community Centre previously occupied the site until it was demolished. The site is currently open and vacant and mainly consists of hardstanding and overgrown grassed areas.

2.2 The Blue Pig Public House (listed / local interest) is situated approximately 50metres away to the west of the site and is separated from it by a dense tree/vegetation screen that also separates the site from Trench Pool. The Teagues Bridge Primary School is located to the north east of the application site and a sports pitch is located immediately to the north of the site. The A442 (Queensway) is located to the south of the site on the opposite side of Capewell Road.

2.3 Capewell Road forms part of the Silkin Way and continues west past the Blue Pig Public house. There are residential properties along Teagues Crescent to the north east.

3. RELEVANT PLANNING HISTORY:

3.1 None.

4. PLANNING POLICY CONTEXT:

4.1 National Planning Policy Framework (the NPPF): The NPPF is not the development plan for Telford and Wrekin but it is a material consideration in this case because all of the borough's development plan policies have to be viewed in the light of this more recent national guidance.

- Section 6: Delivering a wide choice of high quality homes,
- Section 7: Requiring good design,
- Section 11: Conserving and enhancing the natural environment

4.2 Core Strategy policies

- CS1: Homes
- CS3: Telford
- CS11: Open Space
- CS12: Natural Environment
- CS15: Urban Design

4.3 Wrekin Local plan (saved policies)

- OL3: Green Network
- OL4: Development in the Green Network
- OL11: Woodlands and Trees

4.4 Telford & Wrekin Local Plan (submission version June 2016)

Limited weight can be given to this plan at the present time and it does not form part of the adopted development plan. Nonetheless, the Local Plan has been prepared on the basis of detailed evidence and it is the Council's view that the policies in it are sound and consistent with national policy.

- SP4: Presumption in favour of sustainable development
- HO1: Housing requirement
- NE1: Biodiversity and geodiversity
- NE2: Trees, hedgerows and woodlands
- NE4: Provision of public open space
- NE6: Green Network
- BE1: Design Criteria

5. SUMMARY OF CONSULTATION RESPONSES:

5.1 Standard consultation responses

5.1.1 Councillor Stephen Reynolds: Support in principal. There are issues that should be addressed:

- The footpath across this land should be maintained,

- Access is via Capewell Road which is a narrow Road leading to the Blue Pig public House and Middle Pool. The capacity for this road will be placed under considerable pressure with the development of 21 houses and its associated number of vehicles that will undoubtedly will come with the houses.
- The beech hedging to the perimeter of the site should be retained

5.1.2 Oakengates Town Council: Objection on the grounds of the loss of the footpath, poor access to the site and the loss of the beech hedging.

5.1.3 Shropshire Fire Service: No objection.

5.1.4 Telford & Wrekin Local Access Forum: Object. Capewell Road has a bridleway running along a section of it and any increase in traffic would be of concern.

5.1.5 Canals & Rivers Trust: No objection. The existing woodland would provide adequate screening to Trench Pool. The applicant would require a licence from C&RT to discharge any surface water into the reservoir and a condition is requested to control this.

5.1.6 Environmental Services (Drainage): No objection subject to conditions.

5.1.7 Ecology: No objection subject to conditions and informatives.

5.1.8 Highways (including Public Rights of Way): No objections subject to conditions and planning obligations.

5.2 Neighbour consultation responses

Notification letters were sent to approximately 40 neighbouring properties. As a result seven letters of objection have been received raising the following concerns:

- The site is used to access Trench Pool,
- The access road is narrow and can become busy,
- The development is not in keeping,
- Impact on wildlife,
- Concern over future development of adjacent land,
- The site is used for parking cars at present,

6. PLANNING CONSIDERATIONS:

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

- The principle of the development;
- Highways matters;
- Design and appearance;
- Residential amenity;
- Ecology;
- Planning contributions; and
- Other matters

The principle of the development

- 6.2 The NPPF encourages the effective use of land by reusing land that has been previously developed such as this. The site previously contained the Teagues Bridge Community Centre and the majority of the site was covered with either buildings or hardstanding. The NPPF also advises that housing applications should be considered in the context of the presumption in favour of sustainable development and that local planning authorities should significantly boost the supply of housing and deliver a wide choice of high quality homes.
- 6.3 Core Strategy Policy CS1 (Homes) states that every household in the Borough with an affordable, decent and appropriate home, to meet local need and be delivered in a way that creates locally inclusive sustainable communities. Policy CS3 (Telford) states that Telford will be the focus for the Borough's development, that it will accommodate the majority of new homes, jobs and services and that the regeneration of its neighbourhoods will be supported.
- 6.4 The parts of the site that were not covered either by the previous community Centre or the associated car park are within the Green Network designation that extends across the playing field to the north of the site and to the south of the existing school. There are essentially two sections of Green Network within the site which extend along the western boundary and the south east of the site. The majority of these areas will be included within the rear gardens of the proposed houses. It is not considered that the proposal would be contrary to Policies OL3 or OL4 of the saved Wrekin Local Plan.
- 6.5 The application site is located within the defined Telford boundary and so the principle of the development of the site would accord with the aims of Policy CS3. The proposal would result in the positive development of a currently derelict previously developed site and it is considered that the principle of the development is acceptable.

Highway matters

- 6.6 The majority of the representations that have been received relate to the impact of the proposed development on Capewell Road and on pedestrian links between Teagues Crescent and Capewell Road. As such the Council's Highways Engineers have been closely involved with the application and have sought changes to it in order to reflect the concerns raised by local residents.
- 6.7 The site would be accessed along Capewell Road, a narrow highway that serves the Blue Pig Public House and Trench Pool. It is also used by parents of the children who attend the Primary School as there is a pedestrian access to the school approximately half way along the road. At the request of the Council's Highways Officers improvements would be made to Capewell Road in the form of two passing places and the widening of the junction with Juniper Drive. These improvements would benefit the existing users of Capewell Road and would ensure that the limited number of additional vehicles that would use the road would not result in a detrimental impact on highway safety. The improvements referred to would be secured by an appropriately worded condition.
- 6.8 Concern has been raised about the existing link between Teagues Close and Capewell Road that appears to be well used. This is not a defined public right of way and access is essentially permitted as the land was not fenced off following the demolition of the community centre. However the applicant has taken account of the comments that have been raised and has agreed to ensure that a link would be retained from the land to the north of the site, through the development and onto Capewell Road.
- 6.9 The Council's Public Rights of Way (PRoW) officer has also been involved with the application as it has progressed and has sought to protect the integrity of the multi user route (pedestrian, cyclists, horse riders) along Capewell Road as it forms part of the Silkin Way and is a popular route. A S106 contribution of £11,000 has been requested that will enable the Council to make amendments to the existing footpath (extending its width and ensuring it appropriately dressed) for those users. The applicant has agreed to this payment. The Council's PRoW officer has also confirmed that he would look to protect the route through the site as a defined Public Right of Way following its construction.
- 6.10 Based on the above it is considered that the proposed development is acceptable in terms of its impact on the existing highway and that it would actually result in improvements to the highway that would benefit existing users of it.

Design and appearance

- 6.11 The dwellings would all be two-storeys in height and would be set either side of the access road that would run north to south from Capewell Road. The majority of the houses would be semi-detached with two detached and three terraced houses also being provided. Each house would have a minimum of two car parking spaces with the majority being provided within the curtilage of the house. Four of the houses would share a parking area of eight spaces that would be accessed between plots 16 and 17. Each of the houses would have a private rear garden area and the boundaries of the site would be enclosed with fencing. The houses to the northern and southern boundaries have been designed so that they face out onto Capewell Road and over the open space so that they present active frontages when viewed from outside of the site.
- 6.12 The houses would be traditional in design and features including porches and bay windows have been proposed to add some variety and interest to the elevations. Representations have been received stating that the development would be out of character with the area but given that this is an isolated site it is not considered that there is any specific character that the development should reflect. The site is currently open but previously contained a community centre and the other buildings within the area include a public house, a school and traditional two-storey houses. The site is currently derelict and the design of the proposed development is considered to be acceptable and it would not result in a detrimental impact on the character and appearance of the surrounding area.
- 6.13 The site measures approximately 0.53 hectares which gives the proposed development a density of approximately 40 dwellings per hectare. This is not considered to be excessive for an urban location and would reflect the density of housing developments in the immediate area.

Residential amenity

- 6.14 As stated above each of the houses would have a private rear garden area which would vary in depth from approximately 10 metres to 18 metres. The separation distances between the proposed houses are considered to be acceptable and would not result in any overlooking of garden areas.
- 6.15 The proximity of the school and the public house to the proposed dwellings is not considered to be unacceptable in terms of any impacts on the living standards of future occupiers. The site is located in relatively close proximity to the A442. The applicant has provided a noise assessment that concludes that a barrier would be required to the southern boundary of the site. In order

to provide this garages are proposed for Plots 1 and 21 which would act as a noise barrier. A condition is proposed to ensure that the garages are erected before any of the houses are occupied. It is considered that the proposal would result in an acceptable level of amenity for the occupiers of the proposed properties and that it would not result in a detrimental impact on the amenities of the occupiers of any existing houses.

Trees/Ecology

- 6.16 Although this is a derelict previously developed site it is of some ecological value. The site is comprised of brownfield land with ephemeral/short perennial habitats, bare ground, hard standing, ephemeral standing water and tall ruderal vegetation. There is amenity grassland, semi-improved grassland and scattered trees with species poor hedgerow and road verges just offsite.
- 6.17 The site does not meet the Biodiversity Action Plan (BAP) habitat definition for Open Mosaics on Previously Developed Land and the ephemeral water bodies were dry in May and do not meet the BAP criteria. The hedgerow is considered to be a BAP habitat and 25m of hedgerow will be lost to facilitate access but a net gain of 70m of hedgerow will be achieved through new planting on the northern boundary of the site as illustrated on the site plan. Some of this planting will take place offsite on Telford & Wrekin Council owned land and the developer and the Council have agreed a licence to allow the works to take place.
- 6.18 The two pools in the locality score 'poor' on the Habitat Suitability Index (HSI) and as such are considered unlikely to support great crested newts and the report scoped out the need for great crested newt surveys. The submitted Preliminary Ecological Appraisal report found evidence of common amphibian species hibernating in a spoil/rubble pile on the site and also using the site for foraging in spring. Common frog, common toad and smooth newt are confirmed to be present. The report recommends the installation of 2 hibernacula in mitigation and it has been agreed that these can be installed just offsite in Telford & Wrekin Council owned land and the developer and the Council have agreed a licence to allow this work to take place.
- 6.19 There is some potential for bats to be foraging and commuting in the wider environment around the site and the proposed enhanced hedgerow planting will retain potential bat flight lines around the site. Lighting on the site will need to be minimal and the submission of a lighting plan will be a condition of planning permission.

6.20 The council's Ecologist has considered the proposals and has been involved in detailed discussions with the applicant and their ecological consultant. It is considered that subject to the mitigation measures referred to above being provided the proposed development is considered to be acceptable in terms of its ecological impact.

Planning contributions

6.21 The proposed development triggers the need for the following planning contributions:

- Affordable housing (25% of the houses);
- A financial contribution towards Public Open Space (£600 per dwelling); and
- A financial contribution of £11,000 towards highway improvements.

6.22 The NPPF states that the pursuit of sustainable development requires careful attention to be paid to viability and costs in decision making. Further Government guidance is contained in the Planning Practice Guidance that states that Local Planning Authorities should take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make the site unviable. The PPG also states that this is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. Contributions should not be sought without regard to individual scheme viability.

6.23 A Viability Assessment was submitted in support of the planning application that concluded that the provision of affordable housing on this site would make the development unviable. This has been assessed by the Council's Development Delivery Group Specialist who has agreed with the appraisal. As such no affordable housing will be provided however the contributions towards highways improvements and Public Open Space will be secured.

6.24 The viability of a proposed development and local financial considerations are material planning considerations that must be given weight in the consideration of an application. In this instance the applicant has satisfactorily demonstrated that the scheme would not be viable if affordable housing was provided. It is considered that the opportunity to secure development on a derelict, brownfield site, together with an increase in the Borough's housing supply that would create Council Tax and New Homes Bonus income, weighs in favour of the proposal.

- 6.25 In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied (in addition to saved Wrekin Local Plan Policy T22) to ensure that the application is treated on its own merits:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 6.26 In addition account has to be taken of the changes to the CIL Regulations in April 2015 that now restrict the “pooling” of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that the financial contribution set out above meets the relevant tests.
- 6.27 As the Council is currently the landowner it is not possible for the financial contributions to be secured through a S106 Agreement as the Council cannot enter into such an agreement with itself. It is therefore proposed that a Memorandum of Understanding is signed between the heads of the relevant council departments to commit to those contributions being made.

Other matters

- 6.28 Concerns have been raised by residents regarding the potential development of other land within the surrounding area. As the Planning Committee is aware each planning application is considered on its own individual merits and the determination of this application would not mean that development on neighbouring land would necessarily be acceptable. The adjoining pieces of land to the north and east of the application site are both greenfield areas of land that have a use as playing fields whereas the application site is a derelict brownfield site which benefits from a presumption in favour of sustainable development.

7. CONCLUSIONS

- 7.1 The proposal is acceptable in principal given that it is a derelict previously developed site within the urban area of Telford. It is considered that the design and layout of the proposed development is acceptable and that it would result in an acceptable level of amenity for the occupiers of existing and proposed houses. Subject to improvements to the existing road and footpath the proposal would be acceptable in terms of its impact on the highway and subject to the proposed enhancements it would be acceptable in terms of its ecological impact. .

8. RECOMMENDATION

8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **PLANNING PERMISSION IS GRANTED** subject to the following:

A.) The submission of a signed Memorandum of Understanding relating to financial contribution towards Public Open Space and Highway Improvement Works; and

B.) The following conditions and informatives (with authority to finalise conditions, informatives and reasons for approval to be delegated to Development Management Service Delivery Manager):

Conditions

- Time limit
- Details of materials
- Scheme of foul drainage, and surface water drainage
- Scheme to restrict surface water runoff to 5 litres per second per hectare
- Landscaping details, including maintenance of open space
- Tree Protective Fencing
- Trees services root protection
- Trees No Dig Method
- Arboricultural Method Statement
- Erection of artificial nesting/roosting boxes
- Lighting plan to be submitted prior to any external lighting
- Site Environmental Management Plan
- Garages for Plots 1 and 21 to be erected before any of the houses are occupied
- Approved plans

Informatives

- Contact PRoW officer
- Ecological informatives