

TWC/2015/1111

Land adjacent 8 Walton Avenue & adjacent Ridgway, High Ercall, Telford, Shropshire

Outline application for up to 45no. dwellings with associated access, all other matters reserved

APPLICANT

behalf of MS, LL, SH, MS & JEB Walker & CB Goose

RECEIVED

11/12/2015

PARISH

Ercall Magna

WARD

Edgmond and Ercall Magna

OFFICER Libby Harper

1. THE PROPOSAL

- 1.1 This is an outline application for up to 45no. dwellings (with 40% affordable housing provision) incorporating provision of a new access; all other matters are reserved for later consideration. An indicative layout has been submitted presenting a mix of semi-detached and detached properties in a linear form of development, with a drainage attenuation feature positioned adjacent to the access point, and an area of open space in the eastern portion.
- 1.2 In addition to the submitted plans, the application is accompanied by a Planning, Design & Access Statement, Transport Statement, Heritage Assessment, Landscape Report, Phase 1 Habitat Survey, Sewer Capacity Assessment, and Flood Risk Assessment.

2. SITE AND SURROUNDINGS

- 2.1 The 1.98 hectares site sits in the rural north west of the Borough, 6 miles from the District Centre of Wellington. It comprises agricultural land at the north western edge of the village of High Ercall, sitting off the B5063 running between Shawbirch to the south east and the village of Shawbury (in neighbouring Shropshire) to the north west. The village is served by a pre-school, primary school, shop, village hall - also hosting a post office, with a neighbouring play area and playing field, tennis club, Church, a satellite GP surgery, hairdressers. The public house is presently closed, but it is nonetheless understood that a bar is hosted a couple of nights each week in the hall to serve the village.
- 2.2 The site abuts residential development to the south, east and westerly on the opposite side of the road. The former comprises Walton Avenue with a series of two storey semi-detached properties fronting the main road, together with the bungalow (semi-detached and terraced) development of Ridgway to the then wrapping around the eastern extent of the site. Two storey residences sit

opposite off Coppice Drive, again comprising a mix of semi-detached and detached properties. The wider area is largely residential in nature with agricultural land to the north prior to the village of Walton; the High Ercall Conservation Area is positioned 100m to the south at the closest point.

- 2.3 Existing boundaries comprise a predominantly hawthorn hedgerow flanked by a grass verge on the western road edge, intermittent hedgerows along the southern boundary and a predominantly hawthorn hedgerow along the eastern perimeter, the northern edge is open in nature forming part of a wider field used for the production of arable crops.
- 2.4 There is a minor ridge line running in a broadly east-west direction immediately to the north of High Ercall as indicated on the topographical survey drawing, together with the site appraisal drawing A slope is present across the site, from a level of 75m AOD at the proposed site entrance to a level of approximately 77.5m at the northern boundary.

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning application history relating to this site.

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Policy Framework (the NPPF)
- 4.2 Saved Wrekin Local Plan policies
 - UD2 Design Criteria
 - OL11 Woodland and Trees
 - LR4 Outdoor Recreational Open Space
 - LR6 Developers Contributions to Outdoor Recreational Open Space Provision within new Residential Developments
- 4.3 LDF Core Strategy policies
 - CS7 Rural Area
 - CS9 Accessibility and Social Inclusion
 - CS12 Natural Environment
 - CS13 Environmental Resources
 - CS14 Cultural, Historic and Built Environment
 - CS15 Urban Design
- 4.4 A material consideration is that the Council has now submitted the Telford & Wrekin Local Plan for examination. The T&WLP is an emerging local plan and is not the development plan for the purposes of determining planning applications, but under paragraph 216 of the NPPF weight can be given to policies in emerging plans according to their stage of preparation, extent of

unresolved objections and degree of consistency with the NPPF, unless other material considerations indicate otherwise.

Submission Version Telford & Wrekin Local Plan
SP3 Rural Area
SP4 Presumption in favour of sustainable development
HO10 Residential development in the rural area

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Ercall Magna Parish Council
Support this outline application but will have many questions to raise under reserved matters.
- 5.2 Highways: Support subject to conditions
Identify that the internal road layout submitted is purely indicative and is not subject for highway approval as part of this application, whilst attention is drawn to the fact that the turning heads will need to be increased in order to allow a refuse vehicle to manoeuvre accordingly. A vehicle tracking exercise will need to be undertaken to make sure the necessary turning requirements are in place (11.347m RCV). Conditions requested relating to parking / turning / loading / unloading, details of off-site highway works, provision of visibility splays; informatives reference off site highway works.
- 5.3 Education: No objection
Financial contribution requested of £140,702.78, comprising £103,968 towards adaptations at High Ercall Primary School, and £36,734.99 towards transport to Charlton Secondary School.
- 5.4 Parks & Open Spaces: Comment
Suggest an appropriate sum to request of £600 per 2 or more bed property towards the enhancement of nearby play recreational facilities arising from an increased demand upon the existing recreational resource. Note the provision of public open space and SUDs features within the development, with requirement for a long term management plan bearing in mind no clarification as to how and who is to manage this within the submission.
- 5.5 Affordable housing: Comment
Position noted with reference to 40% affordable housing provision having only been 33% at the outset with successive Strategic Housing Market Assessments (SHMA) consistently highlighting the unaffordability of housing in the rural part of the borough and the high levels of unmet need for

affordable homes. The most recent Parish Housing Needs Survey (2010) indicated the unmet need for affordable homes, particularly small family homes and bungalows. This was based on a 24.8% response rate. Further discussion required around dwelling tenure, types, bedroom sizes, location and space/development standards; with homes to be transferred to an appropriate Registered Provider. There should also be arrangements to ensure that the affordable homes are retained as affordable for the future, with a suitable S106 agreement required to secure the affordable housing. A Local Lettings Plan will also need to be agreed between the Council and the Registered Provider, with priority for allocation given to established residents of the parish or to those with a strong local connection.

- 5.6 Urban Design: Support subject to conditions
Initially object to the scheme with the need for consideration to be given to the position of the open space not appearing to be well located, consideration to the orientation of units with approximately half the units having north facing gardens, concern as to the tight layout, scheme being somewhat dominated by the proposed road layout, the need for an understanding of the design principles. Provision of a subsequent design brief has been duly agreed.
- 5.7 Ecology: Support subject to conditions
Request conditions for the erection of artificial nesting/roosting boxes for bats and birds, provision of a landscaping design, provision of an external lighting plan, and a pre-commencement badger inspection; informative reference nesting wild birds.
- 5.8 Arboricultural: Support subject to conditions
Reference southern boundary hedge missing from plans, acting as an important barrier between existing and proposed and should be retained and protected during any proposed development. Presence of a grassed edge strip within the RPA of the hedge that could sufficiently protect the hedge during development. Reference is also made to the presence of a few trees growing in adjacent properties on Walton Avenue & Ridgway, which have not been accounted for but should be surveyed & protected. Duly request conditions for provision of a landscaping design, and hedge protection measures.
- 5.9 Drainage: Support subject to conditions
Advise that the drainage design shows a dual surface water system running along the public highway; one system serving the lower properties runs directly to the attenuation basin with the other running across the site contours to an attenuation tank. This tank then discharges to the proposed pond, and represents an extremely convoluted approach to a surface water design and would not be acceptable to the Council due to potential issues with adoption

and future maintenance. As the housing layout has been set out based on this design, Drainage would normally object to such an approach. However, as this is an outline application with all matters to be determined at reserved matters (including drainage and layout) there is willingness to condition the provision of a more appropriate drainage design. The drainage engineer responsible for the revised design is encouraged to engage with the Drainage team as soon as possible to agree an acceptable approach.

Conditions are duly requested for a scheme of foul and surface water drainage, the latter restricted to 5 litres per second per hectare and any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +30% for climate change, provision of a SUDS management plan including details on future management and maintenance responsibilities.

- 5.10 Shropshire Council Policy & Environment Sustainability Group: Comment Further to receipt of the Heritage Statement for the site, recommend that a programme of archaeological work be made a condition of any planning permission.
- 5.11 Shropshire Fire Service: Comment Request consideration be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

Neighbour representations

- 5.12 There have been seven representations made on the proposal, five objections, one comment, and one no objection. The following summarised issues have been raised:
- Surface water drainage issues – land, footpath and road drainage with existing issues from the field and road
 - Assurances required protection of boundary hedge and trees neighbouring land
 - Scale of development - size of the scheme to the size of the village, significant increase of 14%
 - Environmental impact of development – long-term carbon footprint through additional vehicles, better in a town
 - Lack of need
 - Uncertainty whether properties will be in keeping with area - no information proposed structures/facades
 - Noise and pollution during construction

- Consultation - lack of consultation, shopkeepers and postman support, but not representative - public meeting should be held
- No reference to pedestrian crossing for the B5063 with all amenities bar the public house on the opposite side
- Pool dangerous to children and/or pets
- Access too close to Coppice Drive, Cleveland Avenue and Shrewsbury Road junctions
- Increase in traffic and impact on amenity, increased noise
- Infrastructure capacity questioned – school and doctors.

6. PLANNING CONSIDERATIONS

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

- the principle of developing the site for housing including landscape assessment
- design considerations including the impact on the character and appearance of the area
- relationship between the development site and adjoining properties
- historic environment
- highways
- drainage and flood risk
- ecology and trees
- impact on local infrastructure.

The principle of developing the site for housing including landscape assessment

6.2 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Development Plan comprises the “saved” policies of the Wrekin Local Plan (WLP) and the Telford and Wrekin Core Strategy (CS). The National Planning Policy Framework (NPPF) is a material planning consideration. Para 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development and 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. When applying an up-to-date Objectively Assessed Need as the basis for the assessment of housing land supply, the Council considers that it has 10.9 years supply of deliverable dwellings. Therefore, the Council considers it has in excess of a five year housing land supply (10.9 years). As a result paragraph 49 of the NPPF is not engaged on five year supply grounds

and so weight must be given to the housing supply policies in the development plan.

- 6.3 The site is positioned in the rural area of the Borough and adjoining built development at the edge of the village of High Ercall. Planning policy for the rural area is led by Wrekin Local Plan policy H9 and CS7 of the Core Strategy stating that development will be limited to that necessary to meet the needs of the area, being focussed on the settlements of High Ercall, Tibberton and Waters Upton. This is together with the NPPF which directs Local Planning Authorities to consider housing applications in the context of a presumption in favour of sustainable development (paragraph 14.); to significantly boost the supply of new housing (paragraph 47.); and, guiding towards a responsive approach to local circumstances with housing located where it will enhance or maintain the vitality of rural communities (paragraph 55.), as further sought through policy SP4 of the Submission Version Local Plan. Following several appeal decisions, the LPA acknowledges that Policy H9 is not NPPF compliant due to its restrictive language. Whilst Policy H9 is still part of the development plan, the LPA acknowledges that H9 is older, less strategic and therefore more subservient to the more recent CS policy CS7 and hence WLP policy H9 is not relied upon.
- 6.4 Through adopted policy, the village has a defined role in delivering housing development over and above other areas in the rural area as one of three service centres. Bearing this in mind, the site has been promoted for residential development over a number of years. A smaller western part of the site was identified by the LPA as a “preferred site” through the Land Allocations Preferred Options Report 2005 (site Hsg16, 0.86ha for 26 dwellings) and a larger site (that included the LPA’s preferred site) was also put forward by the landowner (site 124).
- 6.5 This larger suggested allocation was initially discounted as the LPA considered that, whilst development in this location would be well related to the existing built form of the village, the larger greenfield site would breach the level of a ridge-line running east-west just to the north of the site thus making the development visually prominent to long-range views. Also, given that ground level adjacent to Ridgway appeared to be at the roof-level of the existing single storey-houses, development on the site would overlook and dominate the existing houses on the adjacent Ridgway development.
- 6.6 Further landscape assessment evidence was carried out as part of the preparation of the Local Plan. This demonstrated a refinement to the topographical positioning of the site such that the ridgeline is in fact situated further north within the context of the wider arable field rising towards the village of Walton, as well as establishing that the southerly development of

Ridgway sits only approximately 1.5 metres lower than the adjoining site rather than being at roof-level. The study also established that, with some slight adjustment to its northern boundary, a wider site would in fact offer the opportunity to provide a clean edge to the settlement that would be less intrusive than the originally proposed allocation, whilst achieving the best landscape fit and addressing the previously stated concerns of the Council with respect to long distance views. Site sections were also produced at the request of the Council in order to help illustrate the relationship between the heights of dwellings on Ridgway, the levels across the site, indicative dwelling heights within the site and the ridgeline beyond. The study indicated that landscape sensitivity is medium/low and that housing capacity is medium/high.

- 6.7 Following the additional landscape evidence, the LPA's concerns were overcome and it identified the larger site as a proposed allocation through the 2014 Proposed Housing and Employment Sites (PHES) document for the 2011-2031 Local Plan (site 434, High Ercall North, 1.56ha with an estimated potential yield of 40 dwellings). The submission version of the Local Plan does not now propose to identify specific sites for rural housing allocations, but High Ercall is still identified as a main rural settlement where new rural housing is to be focussed.
- 6.8 The application site is a little larger than the proposed allocated site 434 in the PHES document, but with the northern boundary extended a little further northward to allow more landscaping along the boundary as a softening and landscape buffer, although the building line of the proposed dwellings tends to follow the line of the allocation. The northern edge of the development has therefore been positioned such that it is considered to represent a logical rounding off at this edge of the village – sitting parallel to the properties of Coppice Drive on the opposite side of Walton Avenue (the B5063) and the residences of Ridgway to the east, as opposed to sporadic encroachment and away from an existing neighbouring building line, whilst the indicative layout shows the creation of a new soft landscape boundary along the northern edge that would be anticipated through any later scheme in keeping with the agricultural context beyond and to create a new green edge to the village.
- 6.9 This positioning does mean that the development is of a notable scale, up to 45 dwellings having been identified; provision of affordable housing therefore being triggered. At the outset, a figure of 33% (15 dwellings where related to 45 units) had been identified by the applicant (suggested as 80% social rented and 20% intermediate housing) on the basis of this level of provision for a residential scheme in elsewhere in the Borough at Ellerdine. Policy CS7 requires 40% affordable housing provision and so the Local Planning Authority have duly sought an uplift to this level of delivery, as the scheme

cited having related to the period where a lack of five year housing land supply existed. The applicant has in turn agreed to provide 40% affordable housing (18 dwellings where related to 45 units), thus ensuring policy compliance with CS7 and in favour of meeting the unmet need for affordable housing as consistently highlighted in successive Strategic Housing Market Assessments (SHMA) and addressing the unaffordability of housing in the rural part of the borough.

- 6.10 The development would add to the vitality of the community of High Ercall through supporting existing facilities and services, future residents are within walking distance of a range of facilities and services - including 300 metres from the village shop, 600 metres to the primary school and pre-school and a footpath is positioned on the opposite side of Walton Avenue linking to the rest of the village. Future residents would also have the benefit of nearby access (250m from the southwest corner) to regular bus services - relative to the rural area, generally comprising a daily two-hourly service between Newport and Shrewsbury, mid-morning provision to Telford and two hourly service to Wellington and. The Wrekin Connect service (routes 14 and 16) also provides intermittent access to Wellington District Centre and intervening villages.
- 6.11 The Submission Version Local Plan again seeks to focus development across the plan period to specific settlements, including High Ercall and expanded to also include Edgmond and Lilleshall. Support will be shown where related to a limited amount of infill housing (HO10). Development in the rural area will be supported where it addressed the needs of rural communities with approximately 900 net new homes up to 2031 (SP3). Officers acknowledge whilst the development would address a need for a rural community particularly through a notable level of affordable housing provision, that the scheme neither represents limited development or of an infill nature; however, limited weight can be attached to the determination of an application related to the submission plan.
- 6.12 Reference is also made in the Planning, Design & Access Statement to the context of the site within evidence-gathering for the Ercall Magna Neighbourhood Plan. The plan is yet to be made available in consultation form, but it is nonetheless noted that of the four sites advanced in High Ercall (11 sites across the Parish), the application site scored the highest in respect of supporting development at 47.2% (52.8% recorded as do not support development). Ercall Magna Parish Council support the outline application.
- 6.13 On balance, the delivery of housing at this scale, providing a mix of market and affordable housing in this location, with access to a range of facilities and services in a service centre village and beyond by virtue of a relatively regular

bus service (Mon-Sat) is considered appropriate contributing to meeting housing needs in the rural area and constituting sustainable development.

Design considerations including the impact on the character and appearance of the area

- 6.14 The indicative layout presented shows a mix of semi-detached (20) and detached properties (25) of varying proportions, each with on plot parking, front and rear gardens, 21 of the units are shown with attached garages. A drainage attenuation feature and open space are positioned either side of the access point with dwellings either side of the initial stretch of the internal spine road. This then splits to provide two cul-de-sacs with development either side, with the exception of the eastern portion where an area of open space is shown adjacent to the turning head of the bungalow development at Ridgway.
- 6.15 The indicative layout is as per a plan presented during pre-application discussion, whereby concern was raised as to the spacing of the units - , in essence a lack of relief within the streetscene, the positioning of specific units, and limited rear garden size in places. This has been reiterated during the course of the application whereby a modest reduction has been sought. It is also felt that there is scope to increase the number of semi-detached units, look at the provision of some bungalows – particularly bearing in mind the Affordable Housing comment with reference to the most recent Parish Housing Needs Survey (2010) indicated the unmet need for affordable homes, particularly small family homes and bungalows - and modestly scale back the level of garages present. This is particularly bearing in mind concerns raised by Urban Design, including the need to better address the northwest corner of the site more positively as the new edge of the settlement, and provision of a looser layout.
- 6.16 The applicant has in turn advised that the detailed layout and scale of development are reserved matters to be considered at a later date with scope to reduce provision through the description of up to 45 dwellings. Whilst amendment would have been welcomed at this outline stage, the lack of revision is not considered to amount to a sufficient reason for refusal in this instance. The applicant has nonetheless agreed to sign up to a series of design principles contained within a Design Brief document in drawing together a revised design at reserved matters, including a character study to inform said stage, an approach agreeable to Urban Design, and should be aware that revision to the layout would be expected at the reserved matters stage.
- 6.17 The indicative layout amounts to a density of 22.7 dwellings per hectare (dph), with an exercise having been undertaken for similar larger linear forms

of development in the locality, specifically 19.4dph for Coppice Drive, 21.7dph for Ridgway, 21.0 dph for Cleveland Avenue, and 18.4 dph for Talbot Fields/Shirlowe Lane. Thus whilst it is considered likely that through a reserved matters proposal that the scale of development may need to be modestly reduced, the general density and form is broadly in keeping with the character of the village, and a scheme affording a suitable sense of place and spatial quality is possible. It is considered that through the reserved matters application an appropriate mix of housing to provide a wide choice of homes, as envisaged by the NPPF (paragraph 50), can be achieved.

Relationship between the development site and adjoining properties

- 6.18 The site is subject to a slope exceeding three metres (north to south), with a level change particularly evident when the site is viewed from the end of Ridgway (adjacent to No's 23 and 25). The indicative layout, as presented, indicates an area of open space which is understood to help address the level change of 1.5m. It is also understood that the development will be restricted to a maximum of two-storeys as recommended within the Telford and Wrekin Landscape Sensitivity and Capacity Study for the site.
- 6.19 The most sensitive relationships to consider are those between the application site and the neighbouring properties of Walton Avenue and Ridgway to the south and east. No. 8 Walton Avenue abuts the site with its north east corner of the house 3 metres from the boundary. The indicative layout shows a unit positioned 6 metres away (side elevation to side elevation). Should a unit to be proposed in a similar location through a reserved matters layout scheme, officers would expect an increase in distance separation and no habitable windows that could cause overlooking Related to the rear elevations of Walton Avenue and progressing within the site, separation distances exceeds 30 metres and such provision would be acceptable. Related to Ridgway to the south, a minimum distance of 26 metres is presented and the principle of this is considered acceptable subject to confirmation of levels applying. To the east, a minimum distance of 19 metres to the bungalows of Ridgway is shown. As this relates to existing single storey development, the principle of this is considered acceptable subject to confirmation of storey heights and levels applying.
- 6.20 The relationship between the development and properties on the opposite side of Walton Avenue must also be borne in mind. Distances from the edge of the site to the rear / side elevations vary from over 30 metres at the most northerly end, to in the region of 28 metres opposite the suggested area for the SUDs feature, and 18 metres at the southern end by the suggested open space adjacent to the access. It is felt that with sensitive handling of boundary treatments, especially where separation distances are less at the southern

end of the site, that appropriate separation distances can be secured and the privacy of existing residences suitably maintained. Bearing in mind the level change across the site and the surrounding land, the submission of a section would be required through the reserved matters planning stage.

- 6.21 The potential impact of the development during its construction phase through noise and pollution has been raised within neighbour representations. All development involves some degree of general noise and disturbance. Bearing in mind the residential context neighbouring the site, these concerns are appreciated and highlights the need for a Site Environmental Management Plan condition to minimise the disruption and impact entailed.

Highways

- 6.22 A single access is proposed onto the B5063 Walton Avenue towards the southern end of the site. The application is accompanied by a Transport Statement including a peak period traffic survey; the safety performance of the local road network assessed using collision data obtained from the Council; review of the accessibility of the site and the impact of the proposed development.
- 6.23 On the basis of the evidence submitted, the Local Highways Authority supports the proposal subject to conditions. Members' attention is particularly drawn to the request for provision of two tactile crossings from the proposed footway fronting the site to the existing footway on the opposite side of the main road, the lack of a crossing having been picked up by a neighbour with all amenities bar the public house (with bowling green) on the opposite side of the B5063. The site sits within a 30mph speed limit at this location; there is adequate road frontage to accommodate the desirable visibility splays in each direction within its length. The application has demonstrated that an appropriate access can be secured for the site with sufficient separation to existing junctions in the locality, and that the proposal will not prejudice the safety or free flow of highway users.
- 6.24 The indicative layout presents a mix of driveway and garaging provision with each property being afforded individual off street parking. Whilst it is anticipated that through the submission of a detailed design that the level of garaging provision would be reduced, the principle of on plot parking with garaging being setback is considered appropriate in this location.
- 6.25 Paragraph 32 of the NPPF identifies that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Officers are satisfied that this is not the

case here, with detailed elements to be addressed through a reserved matters application and conditions.

Historic Environment

- 6.26 There are no listed or local interest buildings within the site or its immediate vicinity and therefore the proposal would not adversely affect the setting of any of these designated heritage assets, the nearest of which is a collection of Almshouses more than 130m from the south eastern corner. The Conservation Area for High Ercall lies to the south east, the nearest point being 100m away and focussed around the central historic core of the village. The position of the site is such that, with notable development between and a curve in the main road together with intervening trees and hedgerows, the setting of the Conservation Area would not be impacted upon by the development.
- 6.27 There is nonetheless a need to consider whether there may be historic material within the site, with moderate to high archaeological potential having been identified at the outset. The Shropshire Historic Environment Record have identified a series of notable features including aerial photography showing cropmark evidence for medieval ridge and furrow ploughing. Hence it is necessary to ensure that where development comes forward, that a control measure is in place to ensure the protection of any assets present in accordance with para. 128 of the NPPF.
- 6.28 In the first instance, an assessment of the known heritage assets that may be affected by the site has been undertaken and reviewed by the Historic Environment Team. They have recommended that this form part of a phased programme of archaeological work to be made a condition of any planning consent. Guided by the specialist advice provided, the LPA is satisfied that the protection of any archaeological remains within the proposed development site can be secured.

Drainage and flood risk

- 6.29 The proposed means of drainage comprises mains sewer for foul drainage, and a combination of sustainable drainage system with main sewer for surface water; the site lies in Flood Zone 1 where the more vulnerable development of dwelling houses is appropriate. Nonetheless, the size of the site exceeding a hectare has necessitated provision of a Flood Risk Assessment, which identifies that the site is a significant height above and distance from the River Roden. In conjunction with an assessment of the existing sewer capacity by Severn Trent Water, the evidence document identifies that with controls over the rate of discharge of the surface water to 5

litres / second to the existing surface water sewers with inclusion of a balancing pond indicated, development can be undertaken without significant risk to the system, whilst foul water would be routed by gravity sewers to the adopted system and indicates that the system can accommodate such flows.

- 6.30 The applicant had been encouraged to provide a revised drainage scheme. The proposed approach is considered to be convoluted for surface water and there could be potential issues with adoption and future maintenance, and with an amended position of drainage tanks to remove the need for a deep dual surface network. As layout is a reserved matter, the applicant has not been willing to provide a more detailed drainage position, identifying that details have been submitted which demonstrate that drainage of the site is feasible and has provided confirmation from Severn Trent Water as to the connection to the mains sewer for the scale of development entailed.
- 6.31 Bearing in mind the outline nature of the proposal, conditions are proposed by Drainage to ensure the provision of a more appropriate drainage design at the Reserved Matters stage, with the principle of the development on this site in drainage terms accepted to avoid an increased risk of flooding in accordance with policy CS13 appreciating the concerns of neighbours.

Ecology and trees

- 6.32 Whilst the proposal would develop a greenfield site, the habitat survey has identified that land entailed does not contain any habitats of principal importance for nature conservation and is not considered to be of high ecological value, particularly bearing in mind the intensity of the arable use. The hedgerow along the B5063 is not 'important' when assessed against the Hedgerow Regulations (1997). The site does not contain suitable habitat for reptiles; no ponds are present in the locality for amphibians; there is potential for badgers but no evidence recorded; no features of value for roosting bats are present and are unlikely to be significant value for foraging or roosting bats; but there is potential for nesting wild birds with an associated request for vegetation removal outside of the nesting season.
- 6.33 Specific details are requested for the SuDS feature and open space through the conditioned landscaping details, together with lighting details, a badger inspection, and bat and bird nesting/roosting boxes. It is duly considered that the proposal will not harm the natural habitats of current wildlife with controls and improvements being made through requested conditions.
- 6.34 There are no trees within the site, but a number within adjacent properties on Walton Avenue, with stretches of hedgerow demarking the west, south and eastern boundaries. Whilst not continuous along the southern edge, these are

generally established in nature, adding to the rural setting of the site and affording a soft landscape barrier between existing and proposed residences. The Arboriculturalist has requested conditions to ensure these elements are accounted for in the design of a detailed scheme, and particularly bearing in mind the neighbour concern with regard to the protection of their boundary hedge and trees. Along the northern edge the indicative layout shows the creation of a soft and densely landscaped edge, this would be a further anticipated feature of a revised matters application. On this basis, Officers are satisfied that the protection of the nearby trees and present hedgerows is achievable for the development.

- 6.35 Officers note that a number of representations have raised provision of the SUDs feature related to safety of pets and children. The detailed design at the Reserved Matters stage in conjunction with a landscaping condition and SUDs management plan would give further consideration to the safety context of such a feature.

Impacts on local infrastructure

- 6.36 The development will have a number of impacts on local infrastructure, it is anticipated that the development will provide a proportion of family accommodation, and therefore most notably on the demands for play provision and education. On this basis, heads of terms for a S106 agreement providing for the following contributions is proposed:
- The provision of 40% affordable housing on site
 - A contribution of £600 per 2 or more bed dwelling towards enhancement of the children's play and recreation on land adjacent to High Ercall Village Hall
 - A payment of a maximum of up to £140,702.78 comprising £103,968 towards adaptations at High Ercall Primary School, and £36,734.99 towards transport to Charlton Secondary School.
- 6.37 The heads of terms of this agreement are consistent with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and 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. The need for a contribution towards local educational facilities reflects the link between a major development with a likely emphasis on family accommodation and its impact on the local school roll, together with the position of the site to secondary education. The contribution towards off site play and recreation is justified because of the lack of formal play space on the site, and its negotiation is consistent with the NPPF and local plan policies OL13, LR4, LR6. The provision of affordable

housing is a basic principle of all major schemes supported by local and national planning policy. In all respects, the sums sought are fairly and reasonably related to the scheme.

Other matters

- 6.38 All other objections raised in the consultation process have been considered but do not raise any issues that would warrant a review of the analysis of this proposal.

7 CONCLUSIONS

- 7.1 The Local Planning Authority considers that the principle of development is acceptable related to the village of High Ercall as one of three service centres where new development in the rural area will be focused. The proposal will deliver 40% affordable housing, provide education and play & recreation financial contributions; help to meet an unmet housing need, mitigate the impact of the development, whilst adding to the vitality of this rural community. The proposal will not prejudice the safety or free flow of highway users. It is considered, through appropriate conditioning and submission of an appropriate reserved matters application, that the site can provide a scheme which will not harm the visual amenities or character of the area, nor harm the setting of the site at the edge of the village, impact to any flora, fauna and protected trees can be appropriately mitigated against.

8 RECOMMENDATION

- 8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to **GRANT OUTLINE PLANNING PERMISSION** subject to the following:
- A.) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
- (i) Affordable housing – 40% provision
 - (ii) Play space – contribution of £600 per 2 or more bed dwelling towards enhancement of the children’s play and recreation on land adjacent to High Ercall Village Hall
 - (iii) Education – contribution of a maximum up to £140,702.78 comprising £103,968 towards adaptations at High Ercall Primary School, and £36,734.99 towards transport to Charlton Secondary School.

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

A01: Time limit outline

A03: Time limit – submission of Reserved Matters

B002: Standard outline – some matters reserved

B003: General details required

B007: Reserved Matters in accordance with Design Brief

B010: Details of materials

B011: Samples of materials

B012: Sample brick panel

B036: Off-site highways (details to be provided)

B042: Parking, loading, unloading & turning

B061: Foul and surface water including restricted rate of surface water run-off

B076: SUDS Management Plan

B110: Programme of archaeological work

B121: Landscaping design

B122: Tree survey – trees adjacent to southern and eastern boundary

B127: Landscape management plan (15 years)

B149: Ecology – badger inspection

B150: Site Environmental Management Plan

C14: Visibility splays 2.4m x 43m

C040: No approval of indicative layout, proposed drainage layout and road levels, proposed surface water longitudinal sections

C73: Hedge Protection

C109: Ecology – bird and bat boxes

C109: Ecology – Lighting Plan

C38: Development in accordance with deposited plans

Informatives:

I11: Highways including increase in turning heads and vehicle tracking exercise requirement

I25a: Nesting wild birds

I35: Recommendation engagement with LPA prior to submission of RM

I40: Conditions

I44: Reasons for Outline Consent

RANPPF1: Approval - NPPF