

TWC/2016/0560

Land between Beech Hill & Blue House Barns, Chetwynd Road, Newport, Shropshire
Erection of 19no. detached dwellings and creation of new vehicle access

APPLICANT

Cameron Homes Limited, Ian Burns

RECEIVED

24/06/2016

PARISH

Chetwynd

WARD

Edgmond and Ercall Magna

OFFICER Matthew Thomas

OBJECTIONS RECEIVED: Yes

1.0 THE PROPOSAL

- 1.1 This full planning application seeks permission for the erection of 19no. dwellings on a piece of land measuring approximately 1.1ha located to the south of Blue House Barns and north of Beech Hill off the Chetwynd Road in Newport. A new access is proposed directly off the Chetwynd Road to serve the new development, positioned centrally within the site and a pedestrian crossing on Chetwynd Road onto the existing footway network which leads into Newport High Street will also be provided. The proposals comprise 17no. 4 bed properties and 2no. 5 bed dwellings with various house types for variation. The established belt of trees fronting the site will be retained to provide continued visual amenity along the Chetwynd Road and to provide privacy for the new dwellings.
- 1.2 The principle of residential development on this site has previously been approved through the granting of outline planning permission (reference TWC/2014/0115) for up to 14no. dwellings in December 2014 (although scheme was originally submitted for 19no dwellings but later amended to 14no dwellings). This application was approved at planning committee and was subject to the applicant entering in to a S106 agreement with the Council to provide financial contributions towards education and recreation together with the provision of 35% affordable dwellings. For this current application, the applicants have agreed to contribute £69,654 towards education facilities within the local area and £11,400 towards recreational facilities within the vicinity of the site together with the £350,000 towards the provision of off-site affordable dwellings as previously approved.
- 1.3 This application is supported by a suite of drawings together with the following supporting documents:
- Design & Access Statement
 - Floor Risk Assessment
 - Ecological Impact Assessment
 - Tree Survey and Arboricultural Impact Assessment
 - Highway Access Report
 - Geoenvironmental Report

2.0 SITE AND SURROUNDINGS

- 2.1 The application site comprises an area of grassland measuring approximately 1.1 hectares. The site area is generally flat, although the site is several metres higher than the retaining wall embankment from the highway level along Chetwynd Road.

The site is bounded by trees to the east and south, with timber fencing to the north, adjacent to the access drive and communal car parking/garaging which serves the Blue House Farm Barns development. In the north-western corner of the site is a large agricultural building which has previously been used for storage purposes. It is finished in corrugated metal sheeting and would be removed as part of the proposed development. To the far eastern end of the site, adjacent to the Chetwynd Road is a belt of mature trees/woodland and these are protected by a group Tree Preservation Order.

2.2 To the north of the site is the Blue House Barns development at Blue House Farm, which has been converted into 7 units. There are Listed Buildings located in large established plots to the south and northwest of the site boundaries – Beech Hill, a Grade II early 19th Century mansion and Chetwynd Knoll, a Grade II early 19th Century Regency property. On the opposite side of Chetwynd Road is an established row of mid-Twentieth Century detached and semi-detached dwellings set back from the highway and located in an elevated position, with a combination of hard and soft landscaping along the frontage.

2.3 The application site is located in Chetwynd Parish, directly to the northern edge of Newport Town Centre and the junction of Edgmond Road. The site is located outside of the Newport boundary as shown on the Wrekin Local Plan but falls within the boundaries of the emerging Telford & Wrekin Local Plan. The site is located some 600 metres from Newport town centre where there is a large selection of shopping facilities, public houses and restaurants. There are sports clubs nearby that provide a wide variety of sports including football, cricket and bowls. The site is approximately 8 miles from the M54 and 11 miles from the M6 motorways. Newport is served by buses to and from Stafford, Telford, Shrewsbury and Wolverhampton as well as a circular line that links the outlying villages and shopping areas.

3.0 RELEVANT PLANNING HISTORY

3.1 TWC/2014/0115 – Outline application for the erection of up to 14 dwellings, formation of a new vehicular access and drainage infrastructure works with all other matters reserved – Outline Granted (19/12/2014)

4.0 PLANNING POLICY CONTEXT

4.1 National Planning Guidance:
National Planning Policy Framework

4.2 Core Strategy:
CS1 Homes
CS6 Newport
CS7 Rural Area
CS11 Open Space
CS12 Natural Environment
CS15 Urban Design

4.3 Wrekin Local Plan:
UD2 Design Criteria
H9 Location of new housing development
H22 Community Facilities
H23 Affordable Housing for Telford & Newport
T22 Planning Obligations
LR4 Outdoor Recreational Open Space

- 4.4 A new material consideration is that the Council has now submitted for examination the Telford & Wrekin Local Plan (TWLP) in July 2016. The TWLP 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 the Inspector must give weight 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. The emerging TWLP has been produced based on recent evidence (see the housing land supply and OAN issues already referred to below). Therefore the Council considers its policies to be sound and should be given some weight. .

Telford & Wrekin Local Plan (Submission Version)
SP2 Newport
SP4 Presumption in favour of sustainable development
H010 Residential development in the Rural Area
BE1 Design Criteria
NE1 Biodiversity and Geodiversity

5.0 SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Chetwynd Parish Council: No comments received
- 5.2 Newport Town Council: Comment
- Disappointed at yet another development on a green field site. Green corridor provided by trees is a significant feature along Chetwynd Road
 - Concerns over access/egress from the site – topography levels between highway and access is dramatic.
 - Impact on wider highway network is of concern, when considering significant number of other large scale developments nearby
 - Concerns regarding long term effects of increased traffic flow, parking and speeding. Site is in close proximity of TFM with regular deliveries from HGV vehicles. This added to lack of pavement provision is of concern.
 - Concur with comments from the Planning Ecologist regarding the Habitat Regulations Assessment. Much reassurance is needed that the new foul water demands can be accommodated within the existing sewer system and treated not only to protect the European Designated Site at Aqualate Mere but also the current and future services of Newport residents
- 5.3 Highways: Support subject to conditions
- The 2m footway along the site front, as proposed in the previous application, can no longer be provided due to the cost of the extensive works required to the existing retaining feature. Instead it is proposed to provide a pedestrian crossing on Chetwynd Road onto the existing footway network which leads into Newport High Street. The existing footway which the proposed pedestrian crossing links to is narrow in places therefore this had raised some pedestrian safety concerns however the applicant has since submitted additional supporting detail which has addressed these concerns. Accordingly, include following conditions:
 - Full construction detail of any new roads, footways, services etc
 - Details of parking, loading, unloading & turning

- Construction detail of proposed off-site highway works (including pedestrian crossing and retaining feature)
 - Visibility Splays (2.4m x 43m)
 - Include highways informative
- 5.4 Drainage: Support subject to conditions
- Scheme of foul and surface water drainage
 - SUDS management plan
 - Additional modelling allowance set to address future urban creep as set out in table 14 in TWC Local Flood Risk Management Strategy
- 5.5 Severn Trent Water: Comment – no objection subject to conditions
- Foul and surface water disposal plans to be agreed and implemented
 - Advise that there may be a public sewer located within the application site and encourage the applicant to investigate this
- 5.6 Ecology: Support subject to conditions
- Erection of artificial nesting/roosting boxes
 - Lighting Plan
 - Informative – Nesting wild birds
- 5.7 Arboricultural: No comments received
- 5.8 Parks & Open Spaces: Comment
- No detailed landscape plan – no landscape planting/tree details provided and therefore this should be conditioned
 - There is Public Open Space (POS) and clarification is required on management in the long term
 - S106 contributions of £600 per property required towards improvements to facilities and equipment at the Victoria Park, Newport
- 5.9 Education: No objection
- S106 contribution required towards education facilities in the vicinity of the site. Total contribution request - £98,759
 - £59,863 towards primary (kitchen and associated enhancements at Newport Infant) and £38,896 towards secondary (music block works at Burton Borough)
- 5.10 Urban Design: No comments received
- 5.11 Shropshire Fire Service: Comment – include Fire Authority informative
- 5.12 West Mercia Police: Comment – condition Secured by Design (SBD)

Neighbour consultation responses

- 5.13 Following neighbour consultation 3 letters of comments were received from local residents together with 2 letters of objection. The issues raised are summarised below:

- Existing fence to the north of the site, to be retained, is not ideal and more privacy is required for neighbours. Hedging would be a better solution
- Access to neighbouring garages should be retained for maintenance
- Concerns over proposed trees and potential damage from roots
- Fail to see how development will enhance the existing development at Blue House Barns
- Welcome £350k payment in lieu of affordable housing
- Clarification required over boundary treatments
- Concerns over potential impact on approach to Blue House Barns
- Concerns over impact on neighbouring access road from additional traffic
- Limited visibility – adverse impact on highway safety
- Increase from 14 to 19 dwellings is overdevelopment of the site
- Overlooking to neighbouring properties
- Concerns on highway/pedestrian safety from additional vehicles
- What impact will development have on local facilities (dentists/doctors etc)

6.0 PLANNING CONSIDERATIONS

6.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. 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 also a material planning consideration.

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

- Principle of development
- Design, Layout and impact on residential amenity
- Highways and access
- Ecology, Trees & Landscaping
- Affordable Housing & Developer Contributions

Principle of development

6.3 Paragraphs 11 and 196 of the National Planning Policy Framework (NPPF) states that applications should be determined in accordance with the development plan. Paragraph 12 states that development that accords with an up-to-date Local Plan should be approved, and development that conflicts should be refused unless other material considerations indicate otherwise. The framework advocates a presumption in favour of sustainable development and paragraph 14 the NPPF explains that for decision taking this means that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted for development unless:

- 1) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- 2) specific policies in the NPPF indicate that development should be restricted.

- 6.4 Paragraph 49 of the NPPF states that: 'Housing applications should be considered in the context of the presumption in favour of sustainable development. 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.'
- 6.5 In June 2016 Telford and Wrekin Council issued a statement (*Telford and Wrekin Five Year Housing Land Supply Statement 2016-2021*) indicating that the Council now considers it has 12.9 years supply of housing land, based on the Telford and Wrekin Objectively Assessed Need Report (OAN) as an up to date evidence base.
- 6.6 There have been recent conflicting appeal decisions involving the Council's housing land supply and one is subject to legal challenge and one is to be re-heard following challenge. Whilst these appeal decisions are material planning considerations it is considered that the LPA can continue to regard the Borough as having a greater than 10 year housing supply and give weight to its Housing Supply policies. This position may change in the future e.g. if Court cases require it should. Until a change in approach is required the LPA will continue to determine planning applications in accordance with the provisions of the adopted development plan.
- 6.7 However, relevant to the determination of this planning application is that there is an extant outline consent (reference TWC/2014/0115) for the development of the site for up to 14no. dwellings and this is a material consideration that holds significant weight. This current application seeks planning permission for an additional 5no dwelling which has been accommodated for in the formal layout now provided. The application site falls outside of the boundaries of Newport within the current Wrekin Local Plan but within the boundaries as shown on the Telford & Wrekin Local Plan to reflect its status as a committed housing site. Therefore, when considering the extant planning permissions together with the financial contributions to be provided under this current scheme, the Local Planning Authority considers this application to be acceptable, in principle and subject to the usual planning considerations.

Design, Layout and impact on residential amenity

- 6.8 The proposed development will provide 19no. detached dwellings (17 x four bed and 2 x five bed) with a total of 7 different house types to provide character and variation. Eleven of the dwellings will have detached/attached double garages whilst the rest will have a single integral garage; nevertheless parking provision is based on a minimum 200% per dwelling. This solution minimises the need for on street parking; aiding highway safety. The proposed development has been provided at a density of approximately 18 dwellings per hectare which is considered to be an appropriate density and in-keeping with the density and character of other nearby developments. The use of two storey dwellings will respect the size and scale of properties within the surrounding area and will avoid potential overbearing impacts upon the nearest existing properties to the edge of the site.
- 6.9 Road access will be taken through the centre of the site and will weave its way to the head of the development where the proposed dwellings at this end of the site will be arranged in a square like formation. The design of the access road allows for a staggered layout, creating strong frontages to the public realm with opportunities for passive surveillance throughout. Plot no.9 at the head of the site will provide a good focal point on approach. The proposal involves appropriate spacing between properties and gardens and plot sizes which are proportionate to the size of the dwelling together with the provision of appropriate landscaped buffers.

- 6.10 The development will utilise a simple panel of materials comprising facing brickwork, contrasting sections of detailed brickwork, white upvc windows which will be sympathetically designed and well proportioned. Conditions can be included to ensure the windows are set back to achieve a softer profile. Concrete roof tiles are also proposed with colours and profiles to be agreed through conditions, as will the samples of finishing bricks. Seven different property types are proposed which are each designed in a simple, traditional style. In a similar fashion, further conditions will be imposed requiring materials to be agreed for road surfaces, private driveways and boundary treatments. Officers have noted the concerns of some local residents with regards the proposed boundary treatments, especially to the northern boundary and are satisfied that a mutually agreeable solution can be found.
- 6.11 This new development will be a self-contained site with good separation distances between the proposed dwellings and existing neighbouring properties. Ground levels are also relatively consistent as shown on the submitted topographical survey. There will be a minimum separation distance of 22m between the proposed and existing dwellings at the Blue House Barns development to the north and in excess of 30m to Beech Hill to the south. The rear gardens of the closest dwellings will back out on to the boundaries with the Blue House Barns development and adequate screening will be provided through landscaping and boundary treatments, with all details to be reserved for later approval through conditions. Similarly the development is set well away from Beech Hill to the south where there is established boundary treatments which will be retained and enhanced where possible. Taking the above in to consideration officers consider that, subject to inclusion of appropriate conditions, the proposal is compliant with saved Wrekin Local Plan Policies UD2, Core Strategy Policy CS15, draft Local Plan Policy BE1 and requirements of the NPPF with specific regard to Paragraph 17 and Chapter 7 (Requiring Good Design) in that there will be no significant adverse impact on the living conditions of neighbouring properties as a result of any overlooking or loss of light or on the visual amenities of the area with very little impact on the street scape setting along the Chetwynd Road.

Highways and access

- 6.12 A new vehicular and pedestrian access will be provided directly off the Chetwynd Road and will wind through the centre of the development site. The 5 dwellings to the front of the site will be served off private driveways which will branch off from the main access route. A turning area for vehicles will be provided for at the head of the estate. Parking provision is based on a minimum of 200% per dwelling in addition to garage accommodation where provided, although most of the larger dwellings will be afforded a greater level of parking provision. This solution minimises the need for on street parking and ensures the safety of all street users.
- 6.13 This application differs from the previously approved outline application in that the 2m footway along the site frontage can no longer be provided due to the cost of the extensive works required to the existing retaining features. Instead, the applicant proposes to provide a pedestrian crossing on the Chetwynd Road onto the existing footway network which leads into the Newport High Street. The Local Highways Authority initially had some concerns with the practicality and safety of this solution however additional supporting detail has been submitted by the applicant during the course of this application to address these concerns and support is now offered by the LHA subject to conditions. These conditions will require details of the on and off-site highway works including the pedestrian crossing, the provision of on-site parking and turning together with suitable visibility splays at the new junction with the Chetwynd Road. Taking the above in to consideration, officers are satisfied that the development accords with local planning policies in that it will ensure highway and

pedestrian safety and accordingly these measures should overcome the neighbour concerns regarding highway and pedestrian safety as mentioned above.

Ecology, Trees & Landscaping

- 6.14 The application is supported by an Ecological Impact Assessment (produced by EcoTech Ltd) and this has been assessed by the Council's Ecologist. The report describes the site as being 'primarily a mosaic of 70% poor semi-improved grassland and 30% ruderal tall herb, with a strip of mixed plantation to the east'. This plantation comprises the woodland strip containing Beech, Scots pine, Cherry and Sycamore which will largely be retained as shown on the submitted drawings. The site has been assessed by 'EcoTech' as being of negligible biodiversity value with the exception of the hedgerows which are of value in a site context. The report summarises that the existing agricultural building does not have any potential for roosting bats, there are no ponds suitable for great crested newts within 250m of the site, no evidence of badger setts at the time of the survey however the site did have the potential for nesting wild birds. The Council's Ecologist has raised no objections to the proposed scheme subject to the inclusion of conditions including the erection of nesting/roosting bird boxes, the provision of an external lighting plan together with informatives relating to nesting wild birds.
- 6.15 A Tree Survey & Arboricultural Impact assessment (produced by Design Construction Management Services) also accompanies the application. This document considers the 35 existing individual trees, 7 tree groups and 1 hedge within and adjacent to the proposed development site. The purpose of the report is to examine the effect of the proposed development on the existing vegetation during the construction and proposed development in accordance with BS5837:2012. The survey acknowledges the woodland strip to the east of the site and its group Tree Preservation Order. These trees are to be retained and protected during development. A small number of trees (not subject to TPO's) will need to be removed to allow the proposed development and other than the removal of these trees, tree protection barriers will be erected to protect those trees to be retained and these will remain in place throughout the course of development. A comprehensive Tree Protection Plan has also been submitted and will be approved as part of the applications' determination.
- 6.16 A Landscaping Plan has not been submitted with the application however this can be conditioned. The existing woodland strip will continue serve as an effective green buffer between the development site and the Chetwynd Road. Elsewhere, it is envisaged to offer light landscaping where appropriate with most of the private garden areas being laid to lawn. Further tree planting is anticipated, especially along some of the rear boundaries to the new dwellings to increase natural screening. A landscaping management plan will be conditioned for subsequent approval by the LPA.

Affordable Housing & Developer Contributions

- 6.17 Paragraph 47 of the NPPF sets out the Government's key housing policy goal, which is to boost significantly the supply of housing. It states further in paragraph 50 that; in order to deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable inclusive and mixed communities, local planning authorities should:
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but

not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);

- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where it has been identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities

6.18 In accordance with policy H23 of the Wrekin Local Plan and CS6 of the Core Strategy the developer is required to provide 35% provision of affordable housing. Originally, it was proposed to provide this provision on-site however the applicant has since engaged in discussions with the Council's Inward Investment & Housing Group Manager and it has now been agreed to provide a financial contribution of £350,000 to allow the affordable housing units to be provided off-site in order to improve the viability of the scheme and to see the development come forward.

6.19 The sum of £350,000 has been calculated to ensure that there will be no net loss of affordable housing provision. The money will be ring-fenced to the Newport area with payment triggers comprising 50% of the contribution to be payable on the legal completion of the sale of the 9th property with a payment of £17,500 payable on legal completion of each of the remaining ten properties. This current application seeks to retain this previous approval for off-site provision of affordable housing and the Local Planning Authority is satisfied that there has been no significant change in circumstance to warrant a different recommendation from being reached.

6.20 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 and that the obligation is:

- 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.

6.21 In addition account has been 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 requested contribution towards recreation and education would meet the above tests and the negotiation of these contributions is also consistent with Local Plan Policy T22.

6.22 This application seeks to obtain the following contributions:

- £11,400 towards improvements to facilities and equipment at the Victoria Park, Newport
- £98,759 towards primary and secondary education facilities in the vicinity of the development (£59,863 towards primary (kitchen and associated enhancements at Newport Infant) and £38,896 towards secondary (music block works at Burton Borough)

6.23 The Local Planning Authority has considered the above contribution requirements and in order to see this development come forward without further delay, and when bearing in mind the extant permission which could still be implemented, the previous contributions will be honoured and remain CIL compliant. Following the

consideration of a viability assessment, the financial contributions which are to be paid by the developer, and included within the new S106 will be as follows:

- £11,400 towards improvements to facilities and equipment at the Victoria Park, Newport
- £69,654 towards primary and secondary education facilities in the vicinity of the development (kitchen and associated enhancements at Newport Infant and music block works at the Burton Borough).

7.0 CONCLUSIONS

7.1 The principle of residential development on this site has previously approved through the granting of outline planning permission TWC/2014/0115 for 14no dwellings. This development would see a total of 19no dwellings being built on a piece of land which has previously had the benefit of planning permission and is included within the proposals map of the new Telford & Wrekin Local Plan. The development is acceptable in highways terms and will include a new pedestrian crossing from the development site to the existing pedestrian footpath along the Chetwynd Road which provides accessible access into Newport town centre. The Local Planning Authority is satisfied that the proposed scheme will not result in a significant adverse impact on the living conditions of neighbouring properties and the character and appearance of the area will be preserved, especially through the retention of the TPO'd woodland strip which will continue to provide a valuable green buffer. Subject to conditions the proposals will not be to the detriment of local wildlife and the majority of trees will be retained and protected during construction.

7.2 The delivery of this site is promised with a developer (Cameron Homes) awaiting the commencement of development. The proposed scheme will provide a contribution of £350,000 towards off-site affordable housing and this will be ring-fenced to the Newport Area and will be provided within 5 years of receipt of all monies due. A payment of £69,654 will be provided towards education facilities and will be spent at the Newport Infant Primary School and the Burton Borough Secondary School. A further £11,400 will be provided towards improvements to facilities and equipment at the Victoria Park and these sums are together CIL compliant. Taking the above in to consideration, the proposed development complies with local planning policies contained within the Wrekin Local Plan, the Core Strategy and the Telford & Wrekin Local Plan together with the guidance provided within the National Planning Policy Framework and is therefore recommended for approval subject to conditions.

8.0 RECOMMENDATION

8.1 Based on the above conclusions it is recommended to GRANT FULL PLANNING PERMISSION subject to the following conditions:

Conditions

1. Time limit – Full
2. Samples of materials
3. Details of windows & doors
4. Construction details of roads & footpaths
5. Construction detail of off-site highway works
6. Parking, Loading, Unloading & Turning
7. Visibility Splays
8. Foul & surface water drainage scheme

9. SUDS Management Plan
10. Modelling-Flood Risk Management Strategy
11. Boundary treatments to be agreed
12. Landscape Management Plan
13. Site Environmental Management Plan
14. Tree Protection
15. Erection of artificial nesting/roosting boxes
16. External Lighting Plan
17. Development in accordance with plan Nos.
18. Remove Permitted Development rights

Informatives

S106
Highways
Drainage
Ecology
Fire Authority