

TWC/2017/0179

Land south of 28 Beechfields Way, Newport, Shropshire

Outline application for the erection of 19no. dwellings with all matters reserved

**APPLICANT**

Marches Care Ltd

**RECEIVED**

15/02/2017

**PARISH**

Newport

**WARD**

Newport North and West

**OFFICER** Matthew Thomas

**CLLR TIM NELSON HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE AND THE APPLICATION IS SUBJECT TO A S106 LEGAL AGREEMENT TO SECURE MONIES TOWARDS EDUCATION AND RECREATION.**

**OBJECTIONS RECEIVED: YES**

**1.0 THE PROPOSAL**

- 1.1 This outline application seeks planning permission for the erection of 19no. dwellings on land to the south of Beechfields Way in Newport. Only the principle of development is being sought at this stage with all matters (including access, layout, scale, appearance and landscaping) reserved for later approval.
- 1.2 Whilst all matters are reserved for subsequent approval, an illustrative layout plan has been submitted to demonstrate the feasibility of the development. This plan illustrates how the access will be taken from the south of Beechfields Way and the breakdown of properties is envisaged as 11no. detached dwellings, 4no. semi-detached dwellings and a block of 4no. apartments.
- 1.3 Together with the appropriate application form and indicative layout plans, this application is supported by the following documentation:
- Design & Access Statement
  - Planning Statement
  - Highways Assessment
  - Affordable Housing Statement
  - Phase 1 Habitat Survey
  - Arboricultural Impact Assessment
  - Tree Condition Report

**2.0 SITE AND SURROUNDINGS**

- 2.1 The application site extends to approximately 0.9ha and is situated to the south-west of Beechfields Way, accessed off Forton Road within an established residential area of Newport. The site slopes steeply in an easterly

direction towards the Strine Brook which sits approximately 150m away and Newport Canal beyond.

- 2.2 The topography of the site is varied however is generally featureless other than a number of semi-mature trees and hedging along the north, south and east boundaries. To the far western corner of the site is an existing public footpath which connects in to Islington Close to the south.
- 2.3 Beechfields Way forms part of a wider established development built in the 1990's on the northern fringe of Newport. To the north, south and west is further established residential developments and to the north-western corner is the Preston Trust Care Home (Rylands Nursing Home). Open fields are situated the east. The site was initially marked for development back in 1989 when the original outline permission was granted and services have been provided on site including the access leading to the site and rising mains which run through the site up to the south-western corner towards Islington Close/Fair Oak.
- 2.4 The site is located within a sustainable location within close proximity to Newport town centre where there are a range of facilities and access to local schools. Within walking distance are the Newport RUFC, the St Peter & St Paul RC Primary School and a multiple use games area and children's play area is located less than 200m away from the site to the north-east. The nearest bus stop is situated approximately 500m away to the west along the B5062.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 TWC/2014/0766 – Outline Application for the erection of 16no. dwellings (All Matters Reserved) – Withdrawn
- 3.2 W89/0599 – Residential development – Outline Granted (19/12/1989)

### **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  
CS9 Accessibility and Social Inclusion  
CS12 Natural Environment  
CS13 Environmental Resources  
CS15 Urban Design
- 4.3 Wrekin Local Plan:  
UD2 Design Criteria  
H6 Windfall sites in Telford & Newport

H23 Affordable Housing for Telford & Newport  
LR4 Outdoor Recreational Open Space  
LR6 Developers contributions to outdoor recreational open space provision  
OL11 Woodland & Trees  
H22 Community Facilities

- 4.4 Telford and Wrekin Local Plan (2011-2031 – Publication Version June 2016)
- SP2 Newport
  - SP4 Presumption in favour of sustainable development
  - HO1 Housing requirement
  - HO4 Housing mix
  - HO5 Affordable housing thresholds and percentages
  - HO6 Delivery of affordable housing
  - NE1 Biodiversity and geodiversity
  - NE2 Trees, hedgerows & woodlands
  - NE4 Provision of public open space
  - NE5 Management & maintenance of Public open space
  - COM1 Community Facilities
  - C3 Impact of development on highways
  - BE1 Design criteria

## 5.0 SUMMARY OF CONSULTATION RESPONSES

### Standard consultation responses

#### 5.1 Newport Town Council: Object

- Members acknowledge that this site has been subject to proposed development a number of times and that it is now identified in the TWLP as “White Land” however this plan is currently at examination stage, confirming the Council’s published 5 year housing land supply and is based on the full Objectively Assessed Need for the Borough.
- The Town Council is disappointed with lack of affordable housing on site – 35% provision should be sought on sites in Newport. Preference for affordable homes would be for 3 bed and 2 bed semi-detached dwellings to meet local housing needs.
- Residents consider the green spaces and recreational areas in the town of immense value that are fast diminishing. The current wildlife, flora/fauna, close proximity to the Canal and the SSSI on the site provides a valuable environment to the area and must be protected and enhanced
- In view of close proximity and past problems encountered during the construction of Harvest Close & Brook View, members wish that rigorous research/assessment of surface and land drainage issues are undertaken.

#### 5.2 Highways: Comment

- Beechfields Way is a very long cul-de-sac which serves approximately 113 units off a single point of access. The LHA does not generally accept more than 100 units to be served off a single point of access due to the concern of the road becoming blocked for some reason or other, ultimately preventing access for residents and emergency vehicles. However due to the limited size of the proposed development the concern raised is only

marginal which would not sustain a highway refusal. Therefore, there are no objections to the proposal subject to the following conditions:

- Details of means of access including layout, gradient, retaining features
- Details for the parking, turning, loading and unloading of vehicles

5.3 Drainage: Support subject to conditions

- Scheme for foul and surface water drainage – based on SuDS principles
- Confirmation of additional modelling allowance set to address future urban creep as set out in T.14 of TWC Local Flood Risk Management Strategy
- Exceedance flow routing plan for flows above 1 in 11+30% event
- SuDS Management Plan

5.4 Healthy Spaces: Comment

- This development proposal will generate the need for children's play / recreation in accordance with WLP policies LR4 and LR6. This does not need to be required on site and it is recommended to meet this need through off site contributions towards enhancing/upgrading of nearby recreation facilities (Beechfields Way ball court). A suitable sum to request would be £600 per property.

5.5 Education: No Objection

- Given the number and type of dwellings, developer contributions towards education facilities in the vicinity of the site are required as follows:  
Primary School - £45,380 towards the remodelling works at Newport Junior School  
Secondary School - £27,925 – towards the Burton Borough Sports facilities project  
Total Contribution: £73,305

5.6 Ecology: Support subject to conditions

- Erection of artificial nesting/roosting boxes
- Landscaping Design
- External Lighting Plan
- Pre-commencement Badger inspection
- Informatives – nesting wild birds, site clearance

5.7 Arboriculture: Comment – include following conditions

- Tree Protection Plan
- Detailed specification of the no dig path that runs over the root protection areas of T12 & T13
- Tree replacement scheme to be agreed

5.8 Natural England: No Objection

5.9 Shropshire Fire Service: No Comment

5.10 West Mercia Police: Comment – condition SBD

## Neighbour consultation responses

5.11 Following neighbour consultation, 33 letters of objection were received (a small number of these were from the same address) and the issues raised have been summarised below:

- The site lies in the countryside outside the built up area of Newport as defined on the Wrekin Local Plan Proposals Map where new development is to be controlled
- The Council has in excess of a 5 year housing land supply and there are no exceptional circumstances to justify the provision of new housing here
- The site is very close to the area of land east of Kestrel Close/Beechfields Way that was recently the subject of a planning appeal. In the Inspector's decision report it is stated that 'the site lies in the countryside outside of the built up area of Newport'. These comment apply to this application
- Whilst 19 homes may seem small, concerns of cumulative effect
- Inspector identified in Kestrel Close appeal that there is a shortfall in providing affordable housing – this proposal does not meet requirements
- Newport already has a disproportionate share of housing allocation under the Local Plan. In the past three years some 1,300 homes have either been built, are under construction or have approval. This includes approval for 700 houses to the south of the town
- Previous refusals on this site – have previous issues been addressed?
- The site has a steep gradient and development will require extensive ground work; there is concern that the required removal of spoil from the site would cause significant disruption to traffic through the estate.
- Site should be retained as green/open space for residents of Newport
- Part of the site is freely drained – this reduces water movement down the slope towards the poorly drained area around the brook and canal which in turn reduces the risk of problems arising from excess water in the area
- The site provides a dryland wildlife habitat site which benefits the environmental and habitat quality of Newport Canal SSSI – this is the only major area of land within Newport which has significant amenity value
- Concerns regarding street lighting and other sources of light pollution which may affect bats
- Existing drainage/flooding issues which would be exacerbated by the proposed development
- Concerns regarding security of neighbouring properties and potential devaluation of property
- The field is home to a variety of wildlife such as foxes, owls, cuckoos, field mice and squirrels. Wildlife has already been disturbed by the number of new builds and this will further damage local wildlife
- Local amenities (schools, doctors, dentists etc) are at breaking point and new housing will only add to this problem
- Disruption to neighbours during construction – pollution from noise/dust
- Extra strain on local highway network – free flow of traffic in local area is already congested during peak times
- Public transport is sparse, footpaths on the Forton Road are one sided and narrow and there are no cycle lanes making access by car the only choice

- Beechfields Way has been compared to Deer Park – this is misleading as the application site is steep and undulating whereas Deer Park is flat
- Due to gradient of the site concerns of danger to highway safety for both vehicles and pedestrians
- Policy OL6 of the WLP seeks to protect from development, locally important incidental open-land which contributes to the character and amenity of the local area
- Adverse impact on living conditions of neighbouring properties as a result of overlooking, loss of privacy, loss of light, loss of views and disruption during construction works
- Concerns regarding ground conditions – a number of plots will require piled foundations (to depths of approx. 18m) –some are in close proximity to existing structures and may destabilise them
- Site has a negative effect on the strategic green space and/or valuable landscapes
- The site is not a strategic urban extension and does not support the strategic employment areas/eastern arc
- Does not support areas of social deprivation and does not maximise infrastructure investment
- Site is not a balanced provision which is complimentary with existing commitments and does not harness connections

## **6.0 PLANNING CONSIDERATIONS**

6.1 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:

- The principle of residential development on this site
- The impact on the character and appearance of the area
- The impact on the living conditions of neighbouring properties
- Other Constraints – highways, drainage, ecology/trees
- Affordable Housing/Developer Contributions
- Other Matters

### The principle of the development

6.2 Section 38 (6) of the Planning and Compulsory Act (2004) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.3 Paragraph 14 of the NPPF states that, unless other material considerations indicate otherwise, proposals that accord with the development plan should be approved without delay and that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate development should be restricted.

- 6.4 Paragraph 47 of the NPPF requires local planning authorities to identify a five year supply of sites against their housing requirements. Paragraph 49 advises that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites, their relevant policies for the supply of housing should not be considered up-to-date.
- 6.5 There have been a series of recent appeal decisions regarding sites in the Borough which are located on the edge of the built up areas. These have, in the Council's view, left the housing policy position as follows:
- The Council can demonstrate a 5 year supply of housing, however,
  - On an individual basis, the Council's relevant policies for the supply of housing are, as a matter of planning judgement, not up-to-date, as they are either time expired, or based on housing figures from a revoked Regional Spatial Strategy or there is some inconsistency with elements of the NPPF.
- 6.6 As a result of the relevant Core Strategy policies not being up-to-date, planning applications for residential development should be determined with reference to the NPPF para 14 'tilted balance' and should therefore be granted, unless 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 specific policies in the NPPF indicate that development should be restricted.
- 6.7 Despite having to apply the 'tilted balance' it is important to note that this does not mean that planning permission will always be granted. The approach to the determination of planning applications is still a matter of planning judgment, however, it is necessary to demonstrate that the harm caused by a proposal significantly outweighs the benefits.
- 6.8 As required by statute, applications for planning permission are still to be determined in accordance with the development plan unless material considerations indicate otherwise. Even though the housing supply policies are "out-of-date" they retain statutory force and have to be given weight in the determination process.
- 6.9 Policy CS7 seeks to focus any new housing development proposed in the rural area into three named settlements where development should meet local needs; elsewhere in the rural area development is to be limited, and strictly controlled in open countryside. The site is in the Development Plan Rural Area and is not focussed upon any of the settlements named under Policy CS7 and therefore the proposal is contrary to this aspect of CS7. CS7 goes on to say that "*Outside of these settlements development will be limited and within the open countryside will be strictly controlled.*" However as stated above, CS7 is out-of-date, and whilst this conflict with the development plan causes some harm it needs to be weighed in the overall balance of whether the adverse impacts significantly and demonstrably outweigh the benefits.
- 6.10 The site is also proposed to be included within the urban boundary of Newport in the T&WLP and as such it would not fall within the rural area once that Plan

is adopted. The Inspector's proposed Main Modifications have now been published and the Council does not propose to make any alterations to the proposed urban boundary as shown in the Policies Map in this location. Whilst the emerging policies do not yet carry full weight, and they do not form part of the adopted development plan, those policies which are not subject to proposed changes can now be afforded significant weight.

- 6.11 As stated above the relevant development plan policies relating to the supply of housing are out-of-date and can only be afforded limited weight. In addition, the fact that they are out-of-date means that the 'tilted balance' referred to in para 14 of the NPPF is engaged and that the proposal should be approved unless any adverse impacts would *significantly and demonstrably* outweigh the benefits when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted. The following sections will demonstrate that the adverse impacts of the scheme do not significantly and demonstrably outweigh the benefits.

#### The impact on the character and appearance of the area

- 6.12 As stated above, the proposal is for outline planning permission with all matters (including access, layout, scale, appearance and landscaping) reserved for later determination. There are a range of property types within the local area. Islington Close, situated to the south-west, comprises 1970's detached dwellings, some with timber cladding and others incorporating a chalet style frontage. Fair Oak to the far western corner comprises of a group of detached 1980s builds with twin garages. The most recent development is Brook View, located at the end of Islington Close and is a relatively compact development of 4-5 bed houses with dormers in the roof space. Beechfields Way was also built in the 1980's, is finished in brick and tile with integral garages and Heron Way (off Beechfields) is comprised of semi-detached and terraced properties finished in a buff colour brick.
- 6.13 An Indicative Layout Plan accompanies the application and demonstrates that a proposed mix of housing, including 11no. detached dwellings, 4no. semi-detached dwellings and a block of 4no. apartments, can be achieved on site together with on-plot parking and suitably sized private rear gardens. The overall indicative density of the proposal is 21dph which is lower than the existing established residential development at Beechfields Close which is closer to 30dph and therefore it is considered acceptable in the local context and will not amount to overdevelopment of the site. The parcel of land to the far north-western corner of the site (as shown on the Illustrative Layout Plan) is currently used and maintained by the Preston Trust Care Home and the Applicant intends to gift this parcel of land to ensure its use by the Care Home is continued.
- 6.14 There are some topography issues for the future developer to take in to consideration and site levels will need to be fully considered at Reserved Matters stage. However through appropriate use of soft landscaping and choice of boundary treatment there is no reason why this should be an

obstacle in providing a successful development of new family homes. Taking the above in to consideration, there are plenty of styles on which to draw design inspiration from and there is no reason why a future application would have an adverse impact upon the character and appearance of the surrounding area.

- 6.15 In principle, it is concluded that the development of this site would not result in any conflict with saved Wrekin Local Plan policy UD2, Core Strategy policy CS15, and Telford & Wrekin Local Plan policies SP4, and BE1. These policies seek appropriate design quality which relates to its context whilst positively influencing the use and appearance of the local environment. The policy aims are consistent with the National Planning Policy Framework.

#### The impact on the living conditions of neighbouring properties

- 6.16 The Illustrative Plan shows a relatively low to medium density development. This works to the advantage of both existing and proposed dwellings by allowing for good separation distances and relationships with existing neighbouring properties. For example, the proposed development would continue existing lines of development, particular off Beechfields Way where the established building line would be maintained and also with Islington Close where gardens would be largely back-to-back, whilst ensuring mutual privacy. There are opportunities for enhanced landscaping of the site and with the use of appropriate boundary treatments, which would be agreed at a later stage, existing levels of privacy for neighbours could also be achieved. Officers note that there will be the issue of levels to consider as well as the requirement for retaining features towards the top half of the site. However this is not a consideration for this outline application and will be considered in full at Reserved Matters stage to ensure that there are no issues of overlooking between neighbouring properties.
- 6.17 In terms of separation distances with existing neighbouring properties where houses are front on to one another the indicative separation distances range between 21m and 25m and where properties are side on these range between 9m and 28m. For example; plot 19, as shown on the illustrative plan, would be positioned between 9m and 12m away from No.28 Beechfields Way and these properties would be side on to each other and separated by existing and/or enhanced boundary treatment. Again, the illustrative plan shows a minimum separation distance of 13m with No.65 Beechfields Way and as these properties will both face the highway, this is considered to be acceptable. Elsewhere, separation distances with neighbouring properties on Islington Close will range from 15m to 23m. Plots 7 and 8, where the distance is shortest, will be side on to No's 8 & 9 Islington Close. 21m – 28m will apply with neighbouring houses to the west located at Fair Oak and 25m+ to properties at Heron Way to the north. Although only in indicative form at this stage, officers are satisfied that these separation distances serve to demonstrate that a design of layout can be achieved that can avoid any significant adverse impact on the living conditions of these existing neighbouring properties. The positioning of window openings and

landscaping of the site together with appropriate boundary treatments can be dealt with at a later stage to ensure mutual privacy.

- 6.18 In principle, the living conditions for future occupiers of the proposed new dwellings will also be to an acceptable level. Separation distances between the new homes vary between 17m and 34m and adequate off-street car parking, private rear gardens and areas for soft landscaping can be achieved. Taking the above in to consideration, in principle the proposed development is therefore considered not to have a significant detrimental impact on the amenities of adjacent residential properties and complies with policy CS15 of the Core Strategy and 'saved' policy UD2 of the WLP.

### Other Constraints

#### *Highways*

- 6.19 Whilst access is not a matter sought for approval, the illustrative layout plan proposes to construct a new highway leading off from Beechfields Way which would extend through the site being constructed to adoptable standards. The illustrative scheme allows for a minimum of 2 car parking spaces per dwelling, providing a minimum of 38 on site car parking spaces. Officers are satisfied that this can be increased on various larger plots if required and the apartments may not demand such a level of parking. The Local Highways Authority has considered the proposal and has, on balance, raised no objections to the scheme subject to conditions.

#### *Drainage*

- 6.20 The application site is not located within flood zones 2 and 3 (as per the Environment Agency's Flood Map) and whilst it is located some 150m away from the Strine Brook and Canal, it is away from its flood plains. The Council's Drainage Engineers have assessed the proposals and have offered support for the proposals subject to the inclusion of various conditions relating to drainage of the site.

#### *Ecology & Trees*

- 6.21 A Phase 1 Habitat Survey accompanied this application and concluded that 'the proposed development of the site presents a low probability of harm to protected species or habitats'. The Council's Ecologist has confirmed that there are no trees within the site which have potential to support roosting bats however there may be some potential for foraging and commuting in the local area provided the hedgerows are retained and improved through enhanced planting. No evidence of Great Crested Newts, reptiles or badgers were recorded in the ecology report. The site lies approximately 170m north of the Newport Canal SSSI and Natural England were formally consulted however did not raise any objection and this is sufficient to determine that the current proposal will not have an adverse impact on this designation. A suite of conditions relating to wildlife protection and enhancement to include tree planting will be imposed to the decision notice to ensure the scheme is compliant with local policies.

## Affordable Housing/Developer Contributions

- 6.22 Because the site is currently outside of the development boundary for Newport, it is, in theory, considered to be located within the rural area where developers are required to provide 40% provision of affordable housing, in accordance with Core Strategy policy CS7. However, limited weight is currently being afforded to this policy and as it is within the boundary of the emerging Local Plan, it may have more affinity with Core Strategy policy CS6 where there is a requirement for 35% provision of affordable housing. This figure was agreed at the recent Kestrel Close appeal, even though the appeal was dismissed. Policy H23 of the Wrekin Local Plan allows negotiation for the provision of affordable housing however 35% is considered the starting point. Thus, the starting point for a 19 dwelling scheme would be the provision of 6 affordable dwellings. However, the Council accepts there may be situations where a developer cannot deliver the amount of affordable housing required and where evidence is provided that proves that enforcing the affordable housing would render development undeliverable then allowances should be made.
- 6.23 The applicant has provided the Council with a confidential viability statement with accompanying information and this has been assessed by the Council's Development Delivery Group Specialist. There are several significant abnormal costs associated with the development of this site including the need for retaining walls and the requirement for deeper foundations due to ground conditions and therefore the site is not unconstrained. Taking these abnormal costs in to consideration together with the £84,705 sought towards education and recreation the proposed development would provide a developer profit below the accepted profit allowance range of between 17.5% and 20% thus demonstrating that the provision of affordable housing would render this development unviable based on the values and costs identified in the appraisal. Viability is a material consideration as advised within the NPPF and is therefore considered that achieving a development on a vacant and sustainable site together with an increase in the Borough's housing supply, weigh in favour of the proposal and this position is supported by the viability assessment, despite no affordable housing being provided.
- 6.24 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 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.
- 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.
- 6.25 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 planning policies. The following contributions are to be provided by the developer:

- Education: Primary School - £45,380 towards the remodelling works at Newport Junior School and Secondary School - £27,925 towards the Burton Borough Sports facilities project. (Total Contribution £73,305)
- Recreation: £11,400 (£600 per dwelling) towards upgrading of nearby recreational parks (Beechfields Way Ball Court)

## **7.0 CONCLUSION**

- 7.1 As stated above, as a result of the relevant Core Strategy policies not being up-to-date, planning applications for residential development should be determined with reference to the NPPF para 14 'tilted balance' and should therefore be granted, unless 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 specific policies in the NPPF indicate that development should be restricted.
- 7.2 It is considered that there are a number of benefits from the proposed development and that whilst there would also be some negative impacts they do not significantly and demonstrably outweigh the identified benefits. There are no additional material planning considerations that weigh against the proposal and as such the application is considered to be acceptable.
- 7.3 The indicative layout plan proposes a mix of housing, in-keeping with this urban location and an acceptable low-medium density of 21dph is proposed. Whilst there are topography issues to consider at a later stage, there is no reason why these shouldn't be satisfactorily addressed to ensure there is no loss of privacy. The indicative layout allows for suitable separation distances between existing and proposed developments and the Local Planning Authority considers that, subject to full consideration of the reserved matters at a later stage, the proposed 19no. dwellings can be achieved on this site without adverse impact on the character and appearance of the area or the living conditions of neighbouring properties.
- 7.4 The Council's Highways and Drainage officers have assessed the proposals and have raised no objections subject to the inclusion of conditions. Whilst not a matter sought for approval at this stage, the proposed access road and on-site parking appear to be acceptable and will not result in any adverse impact on highway safety. Similarly, the development of this site is achievable without causing any adverse impact on local wildlife or to any trees subject to the inclusion of conditions.
- 7.5 The applicant has submitted a viability appraisal which identifies that the proposed development would not be viable should the Council insist on the provision of the usual affordable housing requirements. The Local Planning Authority considers that achieving a development on a vacant and sustainable site together with an increase in the Borough's housing supply, weigh in favour of the proposal and this position is supported by the viability

assessment, despite no affordable housing being provided. Financial contributions will be provided through this scheme with £73,305 being delivered towards local school projects. The expansion of the Newport Junior School and Burton Borough Secondary School seek to meet the need of new children arising from the proposed development together with a £600 per dwelling contribution to meet the recreational needs of future residents.

- 7.6 The Local Planning Authority has considered all consultation responses received and many of the issues raised have been discussed within this report. Subject to the inclusion of the conditions listed below, the proposal is considered to be compliant with local planning policies as well as the guidance within the National Planning Policy Framework and it is hereby recommended for approval.

## 8.0 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 entering in to a Section 106 Agreement with the Council relating to :
- Education: Primary School - £45,380 towards the remodelling works at Newport Junior School and Secondary School - £27,925 – towards the Burton Borough Sports facilities project.
  - Recreation: £600 per dwelling (total £11,400) towards the upgrading of the Beechfields Way Ball Court.
- B) The following conditions (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):

### Conditions

1. Time Limit – Outline
2. Submission of Reserved Matters
3. Standard Outline – All Matters Reserved
4. General Details required
5. Materials to be agreed
6. Means of access – including layout, gradient, retaining features
7. Parking, turning, loading and unloading of vehicles
8. Scheme for foul & surface water drainage
9. Modelling allowance – drainage
10. Exceedance flow routing plan
11. SUDS Management Plan
12. Landscaping Design
13. Landscape Management Plan
14. Tree Protection Plan
15. Detailed specification of no dig paths

16. Tree replacement to be agreed
17. Site Environmental Management Plan
18. Erection of artificial nesting/roosting boxes
19. External Lighting Plan
20. Pre-commencement Badger inspection
21. Development in accordance with plans

Informatives

S106

Ecology –Nesting wild Birds, Site Clearance  
Conditions / Reasons for approval