

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 2 July 2014 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Whitehouse), Watling Street, Wellington, Telford TF1 2NJ

PRESENT: Councillors J C Minor (Chairman), F M Bould (as substitute for K R Guy), N A Dugmore, I T W Fletcher, E J Greenaway, A S Jhavar, J Loveridge, L A Murray and C R Turley.

PC-007 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on 11 June 2014 be confirmed and signed by the Chairman.

PC-008 APOLOGIES FOR ABSENCE

Councillor K R Guy

PC-009 DECLARATIONS OF INTEREST

TWC2014/0451 – Cllr N Dugmore declared an interest as Parish Councillor but confirmed that he had not taken part in any discussion regarding this application.

TWC/2014/0256 – Cllr N Dugmore declared an interest in this application as his son attended Burton Borough School, but would be taking part in the debate and vote

W2006/0608 – Cllr N Dugmore declared an interest as a Parish Councillor but confirmed that he had not taken part in any discussions regarding this application.

PC-010 DEFERRED/WITHDRAWN APPLICATIONS

None

PC-011 SITE VISITS

RESOLVED – that site visits take place on Wednesday, 23 July 2014 as follows:

TWC/2014/0271 - Land adjacent 9 Hillside, Lilleshall, Newport, Shropshire

TWC/2014/0366 - 3 Cherry Tree Hill, Coalbrookdale, Telford, Shropshire, TF8 7EQ

TWC/2014/0113 - The former British Sugar site, Allscott, Telford, Shropshire;

PC-012 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information

tabled at the meeting regarding planning applications TWC/2013/0950, TWC/2013/0887, TWC/2014/0230, TWC/2014/0451 and TWC/2014/0430.

(a) TWC/2013/0887 - Former Focus DIY Ltd, Audley Avenue, Newport, Shropshire, TF10 7DW

This was an application for full planning permission for the demolition of the existing Focus DIY store and its redevelopment with a new building to provide a foodstore (Use Class A1) together with associate car parking, servicing and landscaping. Highway improvements. The food retailer behind the application was named as Aldi.

A competing application for a proposed Lidl food store at the Mere Park Garden Centre off Stafford Road (TWC/2013/0959) had also been submitted and was considered separately by Members as part of this agenda. The Local Planning Authority had received advice from WYG consultants regarding both applications and their published report had informed the officers' report. The consultants had agreed with the Council's view that neither application required a retail impact assessment in relation to the viability of Newport town centre. This was because both proposed foodstores fell below the floorspace threshold for such a test contained in NPPF guidance.

Mrs R Barsley, a resident of Newport, spoke in favour of the application. She considered that there was a need for a quality discount foodstore in Newport, particularly as the town was continuing to grow. The proposed store would be on a brownfield site with good access, and was not likely to impact on the town centre. It would also mean less people having to travel outside Newport to access such a store.

Mr G Brown, on behalf of the applicant, advised that the proposed foodstore would represent a considerable investment in Newport and create around 40 jobs. It would be complementary to the existing foodstores in Newport, and would not affect the viability of the town centre. There was widespread support locally for the proposal, with over 500 letters of support for the application being submitted. The applicants would provide a mini-bus service to and from residential areas of the town, making the store accessible to the elderly and those without transport. The application was in compliance with planning policy and guidance.

The Planning Officer referred to an update report which contained further representations from competing retailers. He also advised that paragraph 1 of the update report had been included in error and should be deleted. The additional representations received had further questioned the rationale that had been used by officers in assessing the application, and the Planning Officer responded to those. In terms of the sequential test that had been applied to assess whether alternative sites closer to the town centre could accommodate the Aldi store requirements, it had been accepted, following comments from the Council's retail consultants, that there were too many existing and potential constraints to development of the Water Street site for retail development of this nature.

During the ensuing debate, Members were supportive of the application in terms of its location on a brownfield site, its accessibility and the provision of a minibus

service, and noted that the application appeared to have widespread support from Newport residents. In respect of the proposed Section 106 contributions, concern was expressed that not all the sums offered by the applicant would be included in the Agreement. The Assistant Director: Planning Specialist advised that the formal Section 106 Agreement had to conform to the Community Infrastructure Levy regulations. The applicant had offered a further sum of £44k to benefit a number of community initiatives and projects – this would be outside the S106 agreement, and administered as a separate Fund by the applicant.

RESOLVED – that with respect to planning application TWC/2013/0887 permission be granted, subject to the applicants entering into a Section 106 Agreement requiring the obligations as set out in the report, and subject to the conditions summarized in the report – with authority being delegated to the Development Management Manager to determine the exact wording and extent of conditions.

(b) TWC/2013/0959 - Land adjacent, Mere Park Garden Centre, Newport, Shropshire

This was a full application by Growing Enterprises Limited and Lidl UK for the construction of a new foodstore with associated car parking, servicing and landscaping on land fronting the Newport by Pass (A41) at the Mere Park Garden Centre complex.

A competing application for a proposed Aldi food store at the former Focus DIY Ltd at Audley Avenue (TWC/2013/0887) had also been submitted and was considered separately by Members as part of this agenda. The Local Planning Authority had received advice from WYG consultants regarding both applications and their published report had informed the officers' report. The consultants had agreed with the Council's view that neither application required a retail impact assessment in relation to the viability of Newport town centre. This was because both proposed foodstores fell below the floorspace threshold for such a test contained in NPPF guidance.

Mr A Hughes, the applicant's agent, reminded the Committee that his clients could operate from the existing garden centre building without needing planning permission for a change of use. If the application was refused, his clients would take up this 'fall back' position. It was considered that the application site was not in open countryside and its accessibility would be enhanced by the offer of a free bus service to and from the town centre for a period of five years.

The Planning Officer referred to an update report which contained further representations from competing retailers. He advised that having taken this information into account, it was still recommended that the Committee refuse the application, but that the reasons for refusal be amended by deleting reason 3 and amending reason 2 as shown in the update report. The additional representations received had further questioned the rationale that had been used by officers in assessing the application, and the Planning Officer responded to those. In terms of the sequential test that had been applied to assess whether alternative sites closer to the town centre could accommodate the Aldi store requirements, it had been

accepted, following comments from the Council's retail consultants, that there were too many existing and potential constraints to development of the Water Street site for retail development of this nature. There had been a number of objections to the application as set out in the report.

During the ensuing debate, Members sought further clarification on the 'fall back' position should this application for a new foodstore building be refused. The Planning Officer advised that the existing Mere Park Garden Centre premises had been granted on appeal a Certificate of Lawfulness of Proposed Use for Development that provided for unrestricted retail use. This meant that the applicant could operate from the existing Garden Centre building with almost immediate effect without needing planning permission for a change of use. The applicants had submitted plans showing alterations they would need to make to the existing building, but it was considered that these works would require separate planning permission. It was confirmed that if the 'fall back' position was implemented by the applicants, it would not mean that the Council would be obligated to fund any highway improvements to the local road network.

Members gave consideration to the Planning Officer's recommendation for refusal. Some Members felt that the application did constitute sustainable development; that the issues about accessibility could be overcome; and that if the application was refused and the "fall back" position invoked, there would be a loss of contributions to the local community. Conversely, other Members were concerned at the accessibility to the application site for non-car users, particularly the crossing of the busy A41 and A518, and noted the comments of the Inspector at the 2010 Mere Park appeal that the site was not accessible enough. It was also noted that the 'fall back' position had been in existence for some time and had so far not been implemented. Following a full debate, it was

RESOLVED – that with respect to planning application TWC/2013/0959 permission be refused for the following reasons:

- 1. Notwithstanding the existing bus service close to the site, the application site is not accessible by a choice of means of transport to a satisfactory level for food retailing, where good access for those without a car is key and where social exclusion issues are to be avoided. The proposed development is therefore contrary to NPPF and Core Strategy policies CS7 and CS9.**
- 2. The proposed development would unnecessarily extend built development into the countryside on this greenfield site where development is strictly controlled and would tend to consolidate a mixed use, out of centre location which would be undesirable in terms of creating an alternative retail focus to the town centre and hence would be contrary to the NPPF, saved Wrekin Local Plan policy S1 and Core Strategy policy CS7.**

(c) TWC/2014/0230 - Land at Back Lane/Plantation Road, Tibberton, Newport, Shropshire, TF10 8NX

This was an outline application for residential development on an existing site at the junction of Back Lane and Plantation Road. The applicant had initially proposed 25 market dwellings on the site but this had subsequently been increased to 34 units to accommodate affordable housing. All matters except access were reserved. The officer asked members to consider the principle of development, the impact on infrastructure and ecology.

Cllr E Ashcroft, Parish Councillor for Tibberton and Cherrington, addressed the Committee and raised concerns regarding the development which would increase the size of the village by 47% and was a substantial and controversial growth. This was a greenfield site. The sewerage system within the village would need to be replaced and would cause a massive disruption as the water mains may need to be replaced. Mr Ashcroft suggested that this development was moved to a brownfield site.

Cllr S Burrell, Ward Member for Edgmond, noted the Tree Preservation Orders on the development site and asked for their inclusion if the development was approved. He also raised the concerns of local residents and the Parish Council which included the lack of infrastructure, the amount of S106 contributions which would be needed to improve highways, public rights of way, footpaths, passing places and for education contributions. Further concerns were raised regarding the drainage. Cllr Burrell referred the Committee to the paragraph on p86 of the Agenda which referred to Tibberton being “a small settlement that is detached from other parts of the Borough, with a small number of local services, few employment uses, narrow roads, limited bus services, poor access to telecommunications, known drainage issues and a fully subscribed primary school”.

Mrs J Berry, a local resident, also addressed the Committee with regard to the environmental impact on this green corner of the village and the effect it would have on the natural habitat. Mrs Berry also raised concerns regarding the seepage of water and the slow drainage of surface water together with the effect on the character of the village. Mrs Berry further stated that 220 comments had been submitted to the Council regarding the selection of the site in the Shaping Places Proposed Options document, and these needed to be considered in the drafting of the Local Plan. Mrs Berry therefore opposed the development on the grounds of the environment and on points of procedure.

Mr M Parrish, the Applicant's Agent, stated that this land was included as a potential site for development in the draft Shaping Places Local Plan, and was included in the Strategic Housing Land Availability Assessment in 2012. It was compliant with sustainability tests with the NPPF which gave a presumption of development. The applicant had complied with the 40% affordable housing requirement and would make improvements to infrastructure and highways. There had been discussions with officers around the possibility of placing a sewerage plant on site.

The Planning Officer referred to the NPPF and that the Council was currently unable to demonstrate a 5 year housing supply, and that Tibberton was one of 3 rural

settlements that had been included in the adopted Local Plan as suitable for development. Members were asked to consider the principle of development and that the number of units and density would be dealt with under reserved matters. A S106 agreement would be used to accommodate visibility splays and passing places on narrow roads if consent was granted. Conditions for further contributions with regard to rights of way and traffic and speed management could also be imposed. Severn Trent was planning to undertake an investigation into service improvements. Drainage issues could be overcome with the use of conditions. Education provision was dealt with by way of the S106. A habitat assessment had been undertaken and there were no ecological issues or likely effects. Play space and facilities would be moved off site and upgraded. There was an offer of 40% affordable housing in line with the Core Strategy. A tabled update report reflected additional comments that had been received from the Council's Arboricultural Officer, who was seeking to protect a number of trees on and adjacent to the site. Members were recommended to grant the permission subject to the S106 agreement and updated conditions.

During the ensuing debate, Members raised concerns regarding the 40% affordable housing and the community infrastructure. Further concerns were raised regarding a cramped and over-developed site, the lack of public transport, telecommunications issues and the lack of a development plan. Members suggested that the application be deferred pending receipt of further information to include:

- Information regarding the position, location and proposed density of the development within the village
- Information regarding the impact on the natural environment, in particular the adjacent woodland, hedges and wildlife.
- Information regarding the provision of school places, both primary and secondary.
- Information regarding drainage and the position of Seven Trent Water in respect of future investment in water-related infrastructure.
- Information regarding the design and access statement, including density and numbers and types of units
- Information regarding the impact on traffic movement in and around the village, road safety and the capacity of local roads to accommodate the potential additional traffic

RESOLVED – that with respect to planning application TWC/2014/0230 the application be deferred for the receipt of further information.

(d) TWC/2014/0236 - Land adjacent, 12 Tibberton, Newport, Shropshire

This was an outline application for the erection of up to 60 no. dwellings with associated infrastructure. All matters (access, appearance, landscaping, layout and scale) were "reserved matters" for consideration at a later stage via separate application(s). Members were asked to give consideration to the principle of development, infrastructure, ecology and the impact on listed buildings.

Cllr J Wright, Parish Councillor for Tibberton and Cherrington, addressed the Committee and raised concerns regarding the development. This was a greenfield site which encroached into the open countryside and was not sustainable. He also

raised concerns regarding the sewers to the east of the village which were not suitable for further development. The highway proposals would do little to alleviate the traffic issues and this large development would seriously affect the living conditions of the village.

Cllr S Burrell, Ward Member for Edgmond, highlighted concerns regarding the single track roads, poor visibility, lack of passing places and the dangerous roads and junctions around Back Lane and the B5062. Concerns were raised regarding the drainage and the Committee were referred to the information raised in the previous application on p86 of the Agenda which referred to Tibberton being “a small settlement that is detached from other parts of the Borough, with a small number of local services, few employment uses, narrow roads, limited bus services, poor access to telecommunications, known drainage issues and a fully subscribed primary school”.

Mr J Berry, a local resident, expressed concern to the Committee that this site was not an area for development identified in the draft Shaping Places Local Plan, and that this application failed to adhere to the required regulations.

Mr A Sheldon, the Applicant’s Agent, informed the Committee that Tibberton was one of three villages that had been identified as being suitable for development for the 5 year land supply. The Applicant had worked with the Planning Officers and no technical, design or amenity issues had been identified. There would be significant improvements to the poor road junction at Cherrington Road and details of the safety benefit could be found in the application. Passing places and footways would be provided for the benefit of school children and a contribution towards upgrading the bus service and there would be no cost to the residents. There would be no reduction of the 40% affordable housing. The full details and layout would be decided at the reserved matters stage.

The Planning Officer informed the Members that the application was sustainable and that the proposed development would contribute to the 5 year housing supply. The infrastructure did have narrow roads which had been observed on the site visit but the development could produce improvements to the highways through the conditions of the S106 agreement. There would also be footpath and road junction improvements. Severn Trent was planning to undertake an investigation into the drainage issues. This development was adjacent to listed buildings, the application was in principle only and all other details would be dealt with under the reserved matters. The application offered a mix of housing with 40% affordable which complied with policy. The Section 106 agreement proposed open spaces, education and highway contributions although there were some character issues. The Planning Officer recommended that the Members grant outline planning permission subject to the S106 and planning conditions.

Members discussed the application and concerns were raised regarding the development encroaching on the open countryside; that the application was unsustainable and unsuitable due to the infrastructure, drainage, school places, highway issues, the lack of employment and environmental issues; and that it went against the NPPF.

The Legal Advisor and Assistant Director: Planning Specialist noted the concerns of Members and suggested that if Members were minded to refuse the application, clear reasons for refusal which would need to be defensible at appeal needed to be provided. During the ensuing discussion, Members highlighted their main areas of concern, and the Assistant Director summarised these as follows:

- The site was not included in the recent Shaping Places consultation and was not an area for development proposed by this Authority
- Scale of development was disproportionate in scale and size
- Significant and detrimental impact on the character of the area
- Impact on services generally, including education
- Impact on the infrastructure and the utility infrastructure, in particular the uncertainty about drainage investment from the utility company STW
- Inappropriate encroachment into the countryside and beyond the current shape and form of the village
- Road safety in and around the village

It was then proposed, seconded and

RESOLVED – that with respect to planning application TWC/2014/0236, the application be refused, with the reasons for refusal being:-

- 1. The site is not included in the recent Shaping Places consultation and is not an area for development proposed by this Authority**
- 2. Scale of development is disproportionate in scale and size**
- 3. Significant and detrimental impact on the character of the area**
- 4. Impact on services generally, including education**
- 5. Lack of community infrastructure and, in particular, the utility infrastructure to support the proposed development**
- 6. Inappropriate encroachment into the countryside and beyond the current shape and form of the village**
- 7. Concerns regarding the impact on traffic movement and road safety in and around the village**

- (e) TWC/2014/0271 - Land adjacent 9 Hillside, Lilleshall, Newport, Shropshire

This was an outline planning application with all matters reserved for the erection of 2no. detached dwellings with garages. Members were asked to consider the principle of development, access and highway safety and the amenities.

Cllr A Baker, Parish Councillor for Lilleshall ward - Lilleshall, Donnington & Muxton Parish Council, addressed the Committee regarding Lilleshall being excluded as an area of development within the Core Strategy. An application for one dwelling had previously been refused on this site as being highly unsuitable. The new application was for two dwellings for which the access was along a lane with a blind bend with no pavements and no passing places. Further along the lane, which was a dead end, there were 2 further narrow bends which led on to a road with a deteriorating condition. There was no right of way over this land. There were issues of safety for school children who used the lane and the development would affect the visual

impact to the north side of Lilleshall Hill. It was requested that, if this application be approved, that the type of dwelling be changed to that of low rise or dorma style bungalows.

Cllr A Eade, Ward Member for Church Aston and Lilleshall, highlighted to the Committee that a planning application was refused in 2012 due to its unsuitability and it was contrary to Policy H10 due to being outside of the local boundary, to sustainability issues and to protect the rural area. The lane was not a through road and degenerated into a track. It was difficult to get traffic up the lane and it was used as a walking bus route for school children. This development was on a greenfield site and would irreversibly affect the character of the surrounding area. Cllr Eade asked the Committee if they would consider a site visit on this application.

Ms E Attwood, Applicant's Agent, highlighted to Members that this was an outline planning permission for 2 dwellings on garden land which belonged to Hill House. She noted the issues which had been considered in the Officer's report. The previous refusal had been undertaken before the NPPF and before the land supply issues had arisen, and this development would contribute towards the target of 700 homes per year. The development was contained in garden land and not open countryside. The narrowness of the lane was beyond the proposed site and there was no adverse impact on highway safety.

The Planning Officer confirmed to Members that Lilleshall was not one of the three rural settlements identified for development, but due to the lack of the deliverable land supply this development was suitable for 2 dwellings. It was contained within garden land and not in the open countryside so was sustainable within that context. The development was within core strategy and the NPPF. There would be a limited increase of traffic from 2 new dwellings and this would not cause any adverse impact. Any concerns raised during building works could be managed through conditions. With regard to the request for single or one and a half storey dwellings, the Planning Officer advised that the proposed outline development had no adverse effect on the surrounding area, and it would be difficult to justify a requirement for bungalow dwellings. The recommendation was to grant outline planning permission subject to the conditions.

In the ensuing discussion Members raised concerns with regard to the single track and exceedingly narrow lanes without passing or turning places. They were also mindful that there was nowhere for pedestrians to step out of the way. There was further concern regarding the increase of traffic that would be generated from two family houses. It was proposed and seconded that a site visit be undertaken on this application.

RESOLVED – that determination of planning application TWC/2014/0271 be deferred to allow the Committee Members to make a Site Visit.

(f) TWC/2014/0430 - Land at 1 Dawley Road, Arleston, Telford, Shropshire

This was a full planning permission for the erection of 7no. 2 bed properties comprising 4no. semi-detached dwellings and a terrace of 3 houses with each

dwelling providing two bedrooms. Councillor A D McClements had requested that the application be determined by the Planning Committee.

The Planning Officer informed Members that this application was for full planning consent and that the units would be of brick and tile form with parking for 14 vehicles.

Cllr A McClements, Ward Member, addressed the Committee, and stated that she had called in this application due to the number of concerns from local residents with regard to the access in and out of this development. One formal objection had been raised and other objections had been raised informally on a number of occasions. The development was only metres away from one of the busiest traffic light junctions in Telford and had 14 car spaces which would mean up to 14 cars going in and out of the development at busy times of the day. It had previously been a Council yard with vehicles in and out but this was before the junction was so busy. There were concerns regarding traffic flow and limited visibility together with concerns around the parking at the One-Stop Shop and the bus stop outside the proposed development. Although there was a contribution of £3,000 within the proposed S106, visitors to the 'One-Stop' did not use the car park to the rear of the shop and ignored the double yellow parking restrictions. It was suggested to Members that a site visit and thorough investigation of the application be undertaken.

The Planning Officer informed the Committee that one letter of objection had been received, and this was summarised in the update report that had been tabled. The proposed development was within the Wrekin Local Plan and a previous consent was granted in 2006. A further scheme came forward in 2008 for 14 flats and although the S106 was approved the developer withdrew. There had now been a change of situation due to the 5 year land supply and the proposed development being on white land with a boundary close to local facilities and sustainable transport. The developer had come forward with a viable scheme with parking to the front with boundary wall facilities and highway visibility splays and railings. There was sufficient space for cars to manoeuvre within the car parking area. There would be a traffic regulation order to ensure that 'One-Stop' customers used the car park to the rear of the shop and a contribution of £3,000 was within the S106. Monitoring and enforcing the traffic regulation order was a Police matter. Offers of further support to monitoring could be subject to the S106 agreement.

A discussion took place and Members were satisfied with the proposed development itself as this area needed to be tidied up, but had concerns regarding the position of the access and egress from the site. Members were minded to support the application if amendments could be made to move the access to the car park to as far away from the adjacent busy junction as possible – ie: towards the 'One-Stop' Shop but not to interfere with the bus stop. A further concern was raised regarding the bin store and the obstruction to the bus stop by the refuse truck when emptying the bins. It was suggested that delegated authority be given to Officers to negotiate the access and egress away from the junction. It was then proposed, seconded and

RESOLVED – that in respect of Planning Application TWC/2014/0430 that delegated authority be granted to the Service Delivery Manager of Development Management to grant planning permission, subject to further

negotiations with the applicant on a change to the position of the access and egress to the proposed development, and subject to the applicants entering into a Section 106 Agreement requiring the obligations as set out in the report, and subject to the conditions summarized in the report – with authority being delegated to the Service Delivery Manager of Development Management to finalise and impose additional conditions.

(g) TWC/2014/0451 - Land to rear of, 49, 51, 53, 55, 57, 59 & 61 Muxton Lane, Muxton, Telford, Shropshire

This was a full planning permission for the erection of 5no. detached dwellings with garages and associated access and landscaping. Councillor A Lawrence had requested that the application be determined by the Planning Committee.

The Planning Officer asked Members to consider the full application for 5 detached dwellings following the granting of outline planning permission in January 2014. The full application contained an amendment to the layout which increased the distances between the houses near to the site as an offer of improvement to the scheme.

Cllr A Lawrence, Ward Member for Muxton, had called in the application due to concerns raised by local residents on some aspects of the development. The key concerns were access with the main worry being Muxton Lane. It was considered that the number of additional vehicular movements using the access and Muxton Lane would have significant impact on an already dangerous road and would add to the local residents' concern. It was suggested that if the development was approved that signage to the concealed entrance, mirrors or traffic calming for safety of local residents could be considered.

Mr S Clinton, a local resident, highlighted the key aspects with regards to the concern of local residents. The lane was narrow and not wide enough for the extra traffic. There had been several near misses by local residents and it was difficult to see pedestrians when turning into the lane. Children used the private driveway to get to the local primary school. The application failed to address the key safety issues with regard to the driveway and Muxton Lane. Mr Clinton supported new houses but asked if the proposed application could be refused on safety grounds.

Mr A Williams, Applicant's Agent, informed the Committee that outline planning permission had been granted and this was an important material consideration. The issues of access and highway safety were considered at outline stage. The application was acceptable on design and appearance, with a number of changes made to improve the layout of the development, such as the increase in separation distances between the dwellings. Plots 1 to 5 had been repositioned with the road layout further away from the trees. The Applicant had worked with the developer and planning officers with regard to the dormer windows and the gables and this added richness and value to the merits of the scheme.

The Planning Officer referred the Committee to the lengthy debate at outline stage regarding access and the highways planning consent which was still considered to be acceptable. The recommendation to Members was to grant full planning permission subject to the conditions and informatives.

A discussion took place and Members were mostly satisfied that following the changes to the separation distance that there was no reason to refuse the application. It was proposed and seconded that the application be approved subject to the conditions.

RESOLVED – that in respect of Planning Application TWC/2014/0451 that full planning permission be granted subject to the conditions set out in the report.

(h) TWC/2014/0256 - Burton Borough School, Audley Avenue, Newport, Shropshire, TF10 7DS

This was a Council application for minor material amendments to planning permission TWC/2013/0832 to include changes to roof plant and flues, roof lights, gable end feature, plant screen wall, fenestration of gable end and alterations to doors.

The Planning Officer asked Members to consider these technical changes. No other changes had been made to the application. Members were also asked to note that some conditions had been discharged on this application due to the building works having started.

Members were satisfied with the minor amendments to the application and it was proposed and seconded to grant planning permission subject to the conditions.

RESOLVED – that in respect of Planning Application TWC/2014/0256 that full planning permission be granted subject to the conditions set out in the report.

(i) W2006/0608 - Land off, Church Walk, Donnington, Telford, Shropshire.

This was a proposal for a Deed of Variation to the S106 agreement to allow provision of no affordable units on a residential development that had commenced but due to ongoing financial difficulties had stalled. A new applicant had taken over the site and was keen to complete development within the next 6 months if the reduction in affordable housing could be agreed. The full background to the request was set out in the report. The Planning Officer informed the Members that this development had almost been completed but currently stood empty and had been the target of vandalism and anti-social behaviour. The Planning Officer had worked closely with the builder and it was thought appropriate in this instance for the zero affordable housing upon the provision of evidence that this development could be completed within 6 months of the S106 being signed.

Members were satisfied that this development needed to be completed but were slightly concerned with the 6 month timescale.

The Planning Officer and the Legal Advisor confirmed that the six month timescale would not begin until the date of the signing of the S106. There needed to be a degree of pressure and a firm time limit in order that development was completed. However, there was some flexibility for a short extension of time if necessary.

It was proposed and seconded that the application be granted with a further review, if necessary, to be undertaken by the Chair of the Planning Committee and the Service Delivery Manager for Development Management.

RESOLVED – that a further Deed of Variation to amend the Section 106 Agreement be entered into, so removing the requirement of affordable housing, provided that the development is completed within 6 months of the signing of the Deed of Variation. However, delegated authority is granted to the Assistant Director: Planning Specialist , in consultation with the Chair, subject to receipt of appropriate evidence, to extend the 6 month time period as appropriate.

The meeting ended at 9.44pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE

23rd July 2014

Schedule 1 - Planning applications for determination by Planning Committee

TWC/2011/0821 Land At, Wellington Road, Newport, Shropshire Outline application for proposed new housing, open space/playing field and associated works	2
TWC/2011/0827 Land To The North Of, Audley Avenue, Newport, Shropshire. Outline application to include access for the erection of up to 215no. dwellings, highway works, public open space, allotments and associated infrastructure development following demolition of buildings *****Revised Section 106 package to that considered by Planning Committee*****	6
TWC/2014/0113 Former British Sugar site, Allscott, Telford, Shropshire Outline application for the erection of a mixed use development comprising of up to 470no. dwellings (Use Class C3), a primary school (Use Class D1), a commercial area (Use Class B1), clinic and health centres (Use Class D1), retail units (Use Class A1), financial and professional services (Use Class A2), restaurant and cafes and/or hot food takeaways (Use Classes A3 and A5) with associated allotments, sport and recreational facilities, open space, biodiversity enhancement and access (All other matters reserved) *****ADDITIONAL INFORMATION RECEIVED*****	101
TWC/2014/0271 Land adjacent 9 Hillside, Lilleshall, Newport, Shropshire Outline application for the erection of 2no. detached dwellings and detached garages (All matters reserved) *** Amended location plan received ***	187
TWC/2014/0333 Land corner of, Stafford Road/A41, Newport, Shropshire Erection of 111 no. residential dwellings and a 108 no. unit continuing care residential village with associated infrastructure	196
TWC/2014/0335 Metal & Waste Recycling Ltd, The Old Smithy, Lightmoor Road, Lightmoor, Telford, Shropshire, TF4 3QN Erection of new building for aluminium storage, associated water tank for dust suppression, additional acoustic barriers and demolition of mobile phone mast and compound.....	222
TWC/2014/0366 3 Cherry Tree Hill, Coalbrookdale, Telford, Shropshire, TF8 7EQ Installation of roof mounted solar panels (Retrospective)	232

TWC/2011/0821
Land At, Wellington Road, Newport, Shropshire
Outline application for proposed new housing, open space/playing field and associated works

APPLICANT

HDD Newport Ltd,

RECEIVED

30/09/2011

PARISH

Church Aston, Newport

WARD

Church Aston and Lilleshall, Newport
West

OFFICER Tim Williams

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Modification of existing planning obligation, affordable housing provision.

THE PROPOSAL:

This report to Planning Committee relates to a request to modify an existing Section 106 agreement to an outline planning permission (TWC/2011/0821) which was granted on 8th January 2013.

Planning permission TWC/2011/0821 gives consent for up to 285 houses, open space provision (including an informal kick about area and associated works) on land between Wellington Road and Moorfield Lane on the southern edge of Newport.

The Section 106 agreement of 4th January 2014 in connection with the planning permission includes (inter alia) a requirement that 35% of the dwellings constructed are Affordable Housing Units and that 80% of those Affordable Housing Units shall be Rented Social Housing Units and the remaining 20% shall be Shared Ownership Housing Units.

The modification request received by the Local Planning Authority (LPA) is being sought under Subsection (1)(a) of Section 106A of the Town and Country Planning Act. This allows a planning obligation (Section 106 agreement) to be modified by agreement between a LPA and the person or persons against whom the obligation is enforceable – in this instance the developer of the site, Persimmon Homes West Midlands.

Their request to modify the Section 106 agreement relates to the current requirements to provide affordable housing within the development as outlined above. The developer now wishes the level of on-site affordable provision to be reduced from 35% to 20% and for this to be provided in the following mix:

Rented Social Housing Units:	2 bed 4 person house	5%
	3 bed 5 person house	4%
	4 bed 6 person house	1%

Shared Ownership Housing Units:	2 bed 4 person house	5%
	3 bed 5 person house	4%
	4 bed 6 person house	1%

The request states that developer instead offers an off-site affordable housing obligation in the form of a financial contribution of £2,750,000, with payment triggers split into 3 stages of prior to 31st May 2015, 31st May 2016 and 31st May 2017.

SITE AND SURROUNDINGS:

The application site covered by the outline to 10.36 hectares of agricultural land between Wellington Road and Moorfield Lane (excluding land around an existing residence called Aston Grove). The access to Aston Grove splits the application into two parcels, with the northern parcel being substantially larger than the southern half.

PLANNING HISTORY:

TWC/2011/0821 - Outline application for proposed new housing of up to 285 units, open space/playing field and associated works – granted on 8th January 2013.

TWC/2013/0928 - Erection of 61no. detached, semi-detached and terraced dwellings and associated access and landscaping (Reserved Matters to outline consent above - Phase 1) – granted on 3rd April 2014.

TWC/2014/0437 - Erection of 33no. dwellings with associated garages and landscaping (Reserved Matters to outline consent above - Phase 2) – yet to be determined.

PLANNING POLICY CONTEXT:

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Saved Wrekin Local Plan policies
Policy H23 – Affordable Housing

LDF Core Strategy policies
Policy CS6 - Newport

SUMMARY OF CONSULTATION RESPONSES:

There are no publication or consultation procedures that apply to a modification request made under Section 106A(1)(a). However, the LPA has consulted the Inward Investment & Housing Group Manager to comment on the request to ensure that financial contribution figure being offered towards off site affordable provision is equal to the reduction in level of on site provision and the change of split being sought.

The response provided is that the monetary contribution is equivalent to the 15% reduction on-site and that the tenure split on-site proposed from 80/20 to 50/50 respectively for rented/shared ownership accommodation enables a larger contribution to be made to unlock further affordable delivery in Newport as promoted

in Paragraph 50 of the NPPF. It is also noted that the scheme will still retain a large quantity of affordable housing within the overall site.

PLANNING CONSIDERATIONS:

This report to Planning Committee relates to a request to modify an existing Section 106 agreement to an outline planning permission (TWC/2011/0821) which was granted on 8th January 2013 with regard to the level of on-site affordable housing provision and the split between Rented Social Housing Units and Shared Ownership Housing Units. The proposed reduction in the percentage of affordable provision on site from 35% to 20% and the change in split would instead be provided by a financial contribution of £2,750,000, with payment triggers split into 3 stages of prior to 31st May 2015, 31st May 2016 and 31st May 2017. Planning obligations can be renegotiated at any point, where the LPA and developer wish to do so.

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.

The modification proposed would deliver 20% affordable housing within the site. Based on a development of 285 houses this would be 57 affordable residential units and would, therefore, fulfil a social role by delivering a mix of affordable and open market housing to meet current and future needs with a range of tenures.

Policy CS6 of the Core Strategy states that new housing development in Newport will be expected to deliver affordable housing to the level of 35%. However, as stated above the NPPF does allow for off site provision or a financial contribution of broadly equivalent value. In this case the developer proposes an off-site financial contribution of £2,750,000 to be used for the provision of affordable housing.

The Inward Investment & Housing Group Manager has confirmed that the monetary contribution is equivalent to the 15% reduction on-site and that the tenure split on-site which is proposed to be amended from 80/20 to 50/50 respectively for

rented/shared ownership accommodation enables a larger contribution to be made to unlock further affordable delivery in Newport as promoted in Paragraph 50 of the NPPF.

CONCLUSIONS

As stated above, the NPPF does allow for off-site affordable housing provision or a financial contribution of broadly equivalent value. The Inward Investment & Housing Group Manager advises that the monetary contribution put forward by the developer of £2,750,000 is equivalent to the 15% reduction for on-site affordable provision from 35% to 20%.

It is also their view that the tenure split on-site which is proposed to be amended from 80/20 to 50/50 respectively for rented/shared ownership accommodation enables a larger contribution to be made to unlock further affordable delivery in Newport as promoted in Paragraph 50 of the NPPF. At 20% affordable housing provision the scheme would still retain a large quantity of affordable housing on site.

Therefore, the modification to the Section 106 agreement being sought by the developer contributes to the objective of creating mixed and balanced communities whilst still being compliant with the requirements of Core Strategy Policy CS6 to deliver affordable housing to a level of 35%.

However, this is only considered acceptable if the financial contribution proposed is ring fenced and used towards future affordable housing provision in the Newport.

Recommendation to Planning Committee

Based on the conclusions above, the recommendation to Planning Committee on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to facilitate the following:

A.) The applicant/landowners entering into a deed of variation to the existing Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to the modification of the following:

- The level of on-site affordable provision to be reduced from 35% to 20% and for this to be provided in the following mix:

Rented Social Housing Units:	2 bed 4 person house	5%
	3 bed 5 person house	4%
	4 bed 6 person house	1%
Shared Ownership Housing Units:	2 bed 4 person house	5%
	3 bed 5 person house	4%
	4 bed 6 person house	1%

Payment of a financial contribution of £2,750,000 towards off site affordable housing provision (to be ring fenced to the Newport area) with payment triggers split into 3 stages of prior to 31st May 2015, 31st May 2016 and 31st May 2017.

TWC/2011/0827

Land To The North Of, Audley Avenue, Newport, Shropshire.

Outline application to include access for the erection of up to 215no. dwellings, highway works, public open space, allotments and associated infrastructure development following demolition of buildings *****Revised Section 106 package to that considered by Planning Committee*****

APPLICANT

St Modwen Properties I Sarl,

RECEIVED

06/10/2011

PARISH

Chetwynd Aston and Woodcote,
Newport

WARD

Church Aston and Lilleshall, Newport
South

OFFICER Tim Williams

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Development viability, planning obligations, affordable housing provision.

THE PROPOSAL:

This report to Planning Committee relates to an outline application for the erection of up to 215 dwellings, highway works, public open space, allotments and associated infrastructure development following demolition of buildings which was previously presented to Plans Board on the 14th November 2012. A copy of the report to Plans Board is attached as Appendix 1 to this report. The decision of Plans Board was to follow the Recommendation in the report to grant permission subject to the following:

- A.) Confirmation from the Secretary of State that he does not wish to call-in the application for determination;
- B.) The applicants/Council as landowner entering into a Section 106 agreement/Memorandum (signed by the Assistant Director Development Business and Housing) with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager); and
- C.) A number of planning conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

The Secretary of State confirmed that he did not wish to call in the application for determination. However, permission has not been issued to date as the applicant/Council as landowner has not entered into a Section 106

agreement/Memorandum despite discussions with the Local Planning Authority (LPA).

In March 2014 the LPA received correspondence from the applicant's agent stating that they had gone into considerable detail in relation to the costs associated with the Audley Avenue proposals.

Based on this work a commercially confidential development appraisal, prepared by applicant, has been submitted to the LPA. This has lead the applicant to conclude that in order to ensure that the development proposals for the site are not stalled and consistent with the advice in the National Planning Policy Framework (paragraphs 173-177 and 205) the requirements of the Section 106 package which the landowners/developers are able to agree to have been reconsidered, to ensure the development is deliverable.

The correspondence received states that whilst the site specific requirements, as indicated through the indicative masterplan remain unaffected by these proposals, the Section 106 requirements previously considered by the LPA (as recorded in the minutes of the 14 November 2012 Plans Board meeting) for the development make the scheme unviable, which has been particularly affected by the requirements to provide for significant off-site sports provisions.

As a result a revised Section 106 package was tabled to the LPA for consideration. Following this initial approach and further discussions with Officers, an updated revised Section 106 package has been received for consideration by Planning Committee. This package is as follows:

(i) Affordable Housing:

Based on the enclosed revised development appraisal, dated 8 July 2014, provisions ensuring that 17% of the dwellings to be built shall be affordable housing.

(ii) Highways works:

Off-site highway infrastructure improvements up to a maximum of £314,072.

Public Transport Improvements & Travel Plan Monitoring of up-to a maximum of £135,000.

(iii) Education infrastructure

Funding of up to maximum of £529,878.

(iv) The provision of Open Space

The provision of the open space and recreation areas to be managed and maintained by a residents' management company.

(v) Off Site Children's Play Area

A financial contribution of £162,000 towards an off-site NEAP.

(vi) Land for Allotments

Offer for transfer to Newport Town Council an area of land of 0.22 hectares to be used (if taken by NTC) as an extension to the existing allotment site north of the application site.

(vii) Transfer of Land at Shukers Fields

The transfer of 1.6 hectares of privately owned land to Telford and Wrekin Council to be used for continued sports pitch provision as part of the enhanced Shukers Field playing fields area.

(viii) Provision of a New Sports Pitch

The transfer to Telford and Wrekin Council of approximately 0.3 hectare of privately owned land adjacent to Burton Borough School

The layout and provision of the land to form a new football/sports pitch for dual/community use.

(ix) Improvements to Shuker's Fields Playing Fields & Facilities

A maximum financial contribution of £225,000 towards improvements to Shuker's Fields. Any underspend will go towards off-site affordable housing.

(x) Provision of a Planning and Financial Monitoring

A financial contribution of £9,000.

SITE AND SURROUNDINGS:

The site is the same as described in an earlier report to Plans Board as set in Appendix 1 to this report.

PLANNING HISTORY:

The site itself does not have any relevant planning history other than the earlier report to Plans Board reproduced as Appendix 1 of this report.

PLANNING POLICY CONTEXT:

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Saved Wrekin Local Plan policies

Policy H22 - Community Facilities

Policy H23 – Affordable Housing

Policy T22 – Planning Obligations

Policy OL12 – Open Land and Landscape – contributions from new development

Policy LR6 – Developer contributions to outdoor recreation open space provision within new residential developments

LDF Core Strategy policies

Policy CS9 – Accessibility and Social Inclusion

Policy CS10 – Community Facilities

Policy CS 11 – Open Space

SUMMARY OF CONSULTATION RESPONSES:

For all consultations received by the Development Management Team the following text below represents a summary of the salient points made in relation to the application. Full versions of all consultation responses can be viewed by Members of the Plans Committee via the Council's eplanning system.

Highways – Comments awaited – to be reported in update to Planning Committee.

Drainage – Support subject to conditions.

Parks and Open Spaces – Object but revised comments expected - to be reported in update to Planning Committee.

This application is contrary to policy and any permission should be accompanied with conditions to either provide the NEAP onsite (preferable) or it amends the current plans for the offsite NEAP to that of an agreed LEAP design to refurbish the existing play area so this reflects what is able to be achieved with the proposed reduced funding and does not obligate the Council to provide the full NEAP on its land.

Affordable Housing - Comments awaited – to be reported in update to Planning Committee.

Inward Investment & Housing Group Manager – Comment

The Appraisal dated 8th July 2014 by St. Modwen Properties is based on a residual valuation basis which identifies values and costs allowing for a reasonable return to the developer.

The response states they have assessed the Gross Development Value (the sales values) and found these to be reflective of the current market-place. The appraisal includes 37 affordable units with affordable rent values at 55% of OMV and Shared Equity/Ownership values at 70% of OMV. Both of these figures are at the top end of the scale paid by RP's but probably reflective of the premium attached to a Newport location.

In terms of construction costs, the appraisal has a rate of £80.64 for the market units and £85.64 for the affordable units which represents the higher specification

demanded by RP's. The remaining costs of land, abnormals, fees, marketing and finance are all comparable to current market conditions. The appraisal also has included the following Section 106 contributions;

Shukers Fields	£225,000
Provision of Football Pitch	£110,000
Monitoring Fee	£9,000
Legal Costs	£25,000
Acquisition of Land	£160,177
Provision of NEAP	£162,000
Off site Highways	£314,072
Education	£529,878
Public Transport Improvements	£135,000
Total	£1,670,127

The residual element of profit is consistent with the benchmark figures established in the Appeal Case of Reading University versus Wokingham Borough Council in January 2013 where the Inspector agreed that a figure of 20% of GDV is reasonable to allow. In this instance the blended profit margin between market and affordable units is actually less than that figure and therefore entirely permissible.

Education – No objection.

Arboriculture (Trees) – No Comment.

Ecology – No Comment.

Sustainability - No comment

Urban Design Officer – No Comment

Sport England – Comments awaited – to be reported in update to Planning Committee.

Environment Agency – No Comment.

Shropshire Archaeology – No Comment.

Local consultation and representations

Newport Town Council – Comment.

Members considered this application in the context of the letter to the LPA dated 10th March 2014, relating to the viability and deliverability of the development. They were disappointed with the reduction by 15% in the affordable element of housing.

They welcomed the land for allotment use providing it is contiguous with the existing allotment land provision. Members are cautious as to what facility would be provided in the form of “continued sports pitch provision” and where exactly the 1.6 hectares is situated on Shukers Field with the close proximity of this area to the Cemetery.

Representations from Local residents

One representation has been received objecting to the proposal based on the loss of existing buildings used for employment resulting from the replacement pitch planned adjacent Burton Borough School. Also comment that as the northward Cemetery extension sold to Newport Town Council is unsuitable for burials this area could be used housing and some of the housing land on the ex Audco field adjacent to the Cemetery could be used instead for the burial extension.

PLANNING CONSIDERATIONS:

This report to Planning Committee relates to an outline application for the erection of up to 215 dwellings, highway works, public open space, allotments and associated infrastructure development following demolition of buildings that was previously presented to Plans Board on the 14th November 2012. A copy of the report to Plans Board is attached as Appendix 1 to this report. The decision of Plans Board was to follow the Recommendation in the report to grant permission subject to the following:

- A.) Confirmation from the Secretary of State that he does not wish to call-in the application for determination;
- B.) The applicants/Council as landowner entering into a Section 106 agreement/Memorandum (signed by the Assistant Director Development Business and Housing) with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
 - (i) Affordable housing, to include:
 - Provisions ensuring that 35% of the dwellings to be built shall be affordable housing either in number or value (to allow for the inclusion of more expensive specialised affordable housing where required);
 - Of the above 80% to be Rented Social Housing dwellings and the remaining 20% in Shared Ownership unless otherwise agreed with the Council;
 - Provisions ensuring that the affordable housing is provided throughout the development and not left to the latter stages and also that the houses are delivered in small clusters;
 - Inclusion of details to ensure lettings are prioritised to Newport area based residents;
 - Receipts from the disposal of any Shared Ownership dwellings to be recycled and used for the provision of further affordable housing.

(ii) Highways works, to include:

- Off site highway infrastructure improvements - up to a maximum of £314,072;
- Public transport service enhancements – up to a maximum of £120,000;
- Public transport infrastructure (bus shelters) – up to a maximum of £10,000.

Timescale and triggers for the payment of the contributions to be agreed. Details of reviews will need to be agreed to take into account whether other permissions have been or are likely to be granted or implemented in Newport and if not to reassess whether the maximum figures stated can still be justified for this development.

- Travel Plan monitoring - £5,000.

(iii) Education infrastructure funds up to maximum of £529,878 provided the average number of bedrooms per dwelling across the development is under 3.35.

Timescale and triggers for the payment of the contributions to be agreed. Details of reviews will need to be agreed to take into account whether other permissions have been or are likely to be granted or implemented in Newport and if not to reassess whether the maximum figures stated can still be justified for this development.

(iv) The provision of Open Spaces, to include (if that option is exercised by the applicant) a transfer of the open space and recreation areas to the Council at a suitable time and with payment of a commuted sum for maintenance to be agreed. Or alternatively, provide for a residents management company to maintain those areas.

(v) Index linked financial contribution of £162,000 for the provision of a Neighbourhood Equipped Area of Play on land adjoining the application site as indicated on submitted drawings.

(vi) Provision of new allotment land of 0.22 hectares to be provided as an extension to the existing allotment site north of the application site and offered for transfer into the ownership of Newport Town Council.

(vii) The transfer of 1.6 hectares of privately owned land to Telford and Wrekin Council to be used for continued sports pitch provision as part of the enhanced Shukers Field playing fields area.

(viii) The transfer to Telford and Wrekin Council of land owned by the applicant that is developed as a new sports pitch adjacent to the Burton Borough School as indicated in the Playing Pitch Assessment Report; and

(ix) Provision of a Planning and Financial Monitoring contribution of £9,000.

- C.) A number of planning conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

The initial revised Section 106 package that was submitted to the LPA for consideration by the applicant in March 2014 resulted in the following changes to the package endorsed by the Plans Board:

- Reduction in the percentage of affordable dwellings from 35% to 20%;
- Of the above 60% to be Rented Social Housing dwellings and the remaining 40% in Shared Ownership (previous figures 80% and 20% respectively);
- Removal of a contribution towards public transport service enhancements – up to a maximum of £120,000;
- Removal of a contribution to public transport infrastructure (bus shelters) – up to a maximum of £10,000;
- Removal of a contribution to Travel Plan monitoring - £5,000;
- Reduction of the contribution towards the provision and maintenance of a Neighbourhood Equipped Area of Play on land adjoining the application site from £162,000 to £50,000; and
- Inclusion of a contribution of £125,000 towards improvements to Shukers Fields for pitch drainage and levelling and also to ancillary facilities to replace the need for conditions requiring such works to be undertaken.

The initial views from the Inward Investment & Housing Group Manager who considered the development appraisal submitted, was that the values and costs in the document appear satisfactory. It appears that the S106 requirements previously considered by the LPA (as recorded in the minutes of the 14 November 2012 Plans Board meeting) for the development would indeed make the scheme unviable. A site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken.

The advice in the National Planning Policy Framework (NPPF) states that where obligations are being sought or revised, LPAs should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

The more recently published National Planning Policy Guidance (NPPG) states that in decision making viability can be important where planning obligations or other costs are being introduced. It goes on to say that in making decisions, a LPA will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the LPA that the planning obligation would cause the development to be unviable, the LPA should be flexible in seeking planning obligations.

The Guidance states this is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. In relation to planning obligations the Guidance is clear that where affordable housing contributions are being sought, obligations should not prevent development from going forward.

Assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the NPPF is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.

Given the advice provided in both the NPPF and NPPG there appears to be a clear steer for flexibility when requiring planning obligations where this affects development viability, particularly with regard to affordable housing. However, where obligations are necessary to make a particular development acceptable in planning terms, and these should be secured otherwise planning permission should not be granted for unacceptable development.

On this basis Officers have made it clear to the applicant that any revised Section 106 package for consideration by Planning Committee should include provision for all the obligations that are necessary to make a particular development acceptable in planning terms. This includes contributions to the public transport service enhancements and infrastructure that were specified by TWC Highways together with a contribution to Travel Plan monitoring; the full contribution towards the provision and maintenance of a Neighbourhood Equipped Area of Play on land adjoining the application site; and an increased contribution figure towards improvements to Shukers Fields for pitch drainage and levelling and also to ancillary facilities.

Accordingly the applicant has updated their revised Section 106 package for consideration by Planning Committee. This is the package described earlier in this report under the heading of "THE PROPOSAL". The inclusion of all the obligations that are deemed necessary to make a particular development acceptable in planning terms has resulted in further reduction of the level of affordable housing from 20% to 17%, below that which is required by Policy CS6 Newport (35%).

In addition to revised Section 106 terms, there would be a need to revise the draft conditions and remove the two conditions relating to Shukers Fields and Facilities because the Section 106 would provide for a financial contribution to be made to the Council to undertake the improvements.

CONCLUSIONS

The applicant contends the Section 106 requirements previously considered by the LPA (as recorded in the minutes of the 14 November 2012 Plans Board meeting) in relation to this proposed development make the scheme unviable, which has been particularly affected by the requirements to provide for significant off-site sports provisions.

An updated development appraisal submitted by the applicant has been prepared on the basis of a revised Section 106 package that includes provision for all the obligations that are considered necessary to make a particular development acceptable in planning terms as well inclusion of an enhanced financial contribution towards Shukers Fields for pitch drainage and levelling and also to ancillary facilities previously to be secured via planning conditions agreed with Sport England. However, this updated revision to the Section 106 package has resulted in a further reduction to the level of affordable housing - from 20% to 17%.

The Council's Inward Investment & Housing Group Manager has considered the development appraisal submitted and states this is based on a residual valuation basis which identifies values and costs allowing for a reasonable return to the developer. The conclusion reached is that the residual element of profit is consistent with the benchmark figures established in the Appeal Case of Reading University versus Wokingham Borough Council in January 2013 where the Inspector agreed that a figure of 20% of Gross Development Value is reasonable to allow. In this instance the blended profit margin between market and affordable units is actually less than that figure and therefore entirely permissible.

The advice provided in both the NPPF and NPPG gives a clear steer towards flexibility when requiring planning obligations where this affects development viability, particularly with regard to affordable housing. Planning obligations should not prevent development from going forward. Therefore, the reduction in the amount of affordable housing can be justified given this advice to Local Planning Authorities.

Whilst the requirement for the development to provide affordable housing at 35% in line with Core Strategy Policy CS6 (Newport) was a key factor in the consideration of the application in November 2012, this was before evidence on viability was put to the LPA for consideration and the advice given in the NPPG on this matter. It is also worth noting that since November 2012 the Council has undertaken a reassessment of the five year land supply position, particularly in terms of the deliverability of committed sites within five years. This has produced a lower, but more robust, delivery figure of 2.5 years. This has implications for decision-making on planning applications. Having a 5 year housing land supply shortage means that para 49 of the NPPF takes on greater significance as it states "Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." This has implications

for decision-making and means that with a housing land supply shortage, the Council's existing policies guiding housing targets and build rates in Telford, Newport and the rural area (policies CS1, CS6 and CS7) cannot be regarded as up to date.

Recommendation to Planning Committee

Based on the conclusions above, the recommendation to Plans Board 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, to include:
 - Provisions ensuring that 17% of the dwellings to be built shall be affordable housing either in number or value (to allow for the inclusion of more expensive specialised affordable housing where required);
 - Of the above 60% to be Rented Social Housing dwellings and the remaining 40% in Shared Ownership unless otherwise agreed with the Council;
 - Provisions ensuring that the affordable housing is provided throughout the development and not left to the latter stages and also that the houses are delivered in small clusters;
 - Inclusion of details to ensure lettings are prioritised to Newport area based residents;
 - Receipts from the disposal of any Shared Ownership dwellings to be recycled and used for the provision of further affordable housing;
 - (ii) Highways works, to include:
 - Off site highway infrastructure improvements - up to a maximum of £314,072;
 - Public transport service enhancements – up to a maximum of £120,000;
 - Public transport infrastructure (bus shelters) – up to a maximum of £10,000.

Timescale and triggers for the payment of the contributions to be agreed. Details of reviews will need to be agreed to take into account whether other permissions have been or are likely to be granted or implemented in Newport and if not to reassess whether the maximum figures stated can still be justified for this development.

- Travel Plan monitoring - £5,000;

(iii) Education infrastructure funds up to maximum of £529,878 provided the average number of bedrooms per dwelling across the development is under 3.35;

Timescale and triggers for the payment of the contributions to be agreed. Details of

reviews will need to be agreed to take into account whether other permissions have been or are likely to be granted or implemented in Newport and if not to reassess whether the maximum figures stated can still be justified for this development.

(iv) The provision of Open Spaces, to include (if that option is exercised by the applicant) a transfer of the open space and recreation areas to the Council at a suitable time and with payment of a commuted sum for maintenance to be agreed. Or alternatively, provide for a residents management company to maintain those areas;

(v) Index linked financial contribution of £162,000 for the provision of a Neighbourhood Equipped Area of Play on land adjoining the application site as indicated on submitted drawings;

(vi) Provision of new allotment land of 0.22 hectares to be provided as an extension to the existing allotment site north of the application site and offered for transfer into the ownership of Newport Town Council;

(vii) The transfer of 1.6 hectares of privately owned land to Telford and Wrekin Council to be used for continued sports pitch provision as part of the enhanced Shukers Field playing fields area;

(viii) The transfer to Telford and Wrekin Council of land owned by the applicant to be developed as a new sports pitch for school and community use adjacent to the Burton Borough School as indicated in the Playing Pitch Assessment Report;

(ix) Improvements to Shuker's Fields Playing Fields & Facilities
A maximum financial contribution of £225,000 towards improvements to Shuker's Fields. Any underspend to go towards off-site affordable housing; and

(ix) Provision of a Planning and Financial Monitoring contribution of £9,000.

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

1. A01 Time limit - Outline
2. A03 Time limit – Submission of Reserved Matters.
3. B02 Standard outline some matters reserved.
4. B10 Details of materials.
5. BCustom Details on Allotment area.
6. BCustom Phasing plan for the development.
7. BCustom No dwellings to be built overlooking NEAP until such a facility has

- been provided.
8. BCustom Affordable housing details.
 9. B126 &7 Landscape Management and Maintenance.
 10. B125 Details of earthworks to including for a gradual grading of the land within the application site boundary, where it adjoins the northern boundary of the cemetery extension land if necessary.
 11. BCustom Highways details as specified by Highways Engineers (including Travel Plan).
 12. BCustom Detailed Scheme of Noise Attenuation Measures for dwellings.
 13. B57 Land contamination.
 14. B150 Site Environmental Management Plan for construction works.
 15. BCustom Details of surface water drainage to include requirements specified by Drainage Engineers and Environment Agency.
 16. B130 Tree protective fencing.
 17. B131 Trees Services root protection.
 18. B134 TPO Extent of works.
 19. B132 Trees No Dig Method.
 20. BCustom Scheme of sustainable construction with regards to housing.
 21. BCustom Details for the erection of bird boxes.
 22. B141 Ecological Mitigation and Method Statement.
 23. B/C 2 conditions as specified in the report regarding playing pitch mitigation off site adjacent to Burton Borough School.
 25. C76 Landscape Implementation hard and soft.
 26. C79 TPO Tree Suitable Contractor.
 27. C70 Trees – no burning.
 28. C71 Trees – Soil levels.
 29. C72 Trees – Material Storage.
 30. C38 Development in accordance with deposited plans.
 31. DCustom Maximum number of dwellings permitted to be 215 units.

APPENDIX 1 – REPORT TO PLANS BOARD OF 14TH NOVEMBER 2012

TWC/2011/0827

Land To The North Of, Audley Avenue, Newport, Shropshire.

Outline application to include access for the erection of up to 215no. dwellings, highway works, public open space, allotments and associated infrastructure development following demolition of buildings

APPLICANT

St Modwen Properties I Sarl,

RECEIVED

06/10/2011

PARISH

Chetwynd Aston and Woodcote,
Newport

WARD

Church Aston and Lilleshall, Newport
South

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Housing need and supply in the Newport area, principle of housing development in this location, highway and traffic issues, surface and foul water drainage, other infrastructure issues, open space and play provision, loss of existing sports fields, conflict with adjoining uses (including noise), effects on trees covered by Tree Preservation Orders.

THE PROPOSAL:

This is an outline application with all matters other than the means of access (appearance, landscaping, layout and scale) being “reserved matters” for consideration at a later stage via a separate application(s). The application is accompanied by an Illustrative Masterplan showing the approximate location of buildings, routes and open spaces.

The application is applying for permission for up to 215 houses, public open space provision, an area for allotments and associated infrastructure following the demolition of some small storage/changing room buildings.

The application site extends to an area of 8.8 hectares. Overall, the density of the residential element (excluding strategic public open space provision) would be around 35 dwellings per hectare. Most of the dwellings would be 2 storeys in height but some town houses are also proposed and these would be a maximum of 2.5 – 3 storeys in height.

The applicant has proposed the following indicative mixture of house sizes:

2 bed dwellings – 43 units (20% of total)

3 bed dwellings – 86 units (40% of total)

4 bed dwellings – 86 units (40% of total)

As indicated on the Illustrative Masterplan, the housing types above could be delivered in a range of house types from terraced link/mews cottages to semi and detached properties.

The applicant has stated that an indicative affordable housing mix at the site concentrates on 2, 3 and 4+ bedroom houses. However, at this stage the applicant is proposing that an Affordable Housing Scheme is agreed with the Council at the reserved matters stage.

An addendum to the Planning Statement that the build out of the site is anticipated to take approximately 5 years, although this recognises this is largely dependant on the state of the housing market in Newport and availability of new build properties on that housing market.

The Illustrative Masterplan indicates that the proposals incorporate both formal and informal open space, landscaping and wildlife areas. Formal open space would total 1.98 hectares with informal open space (including balancing pond) being 0.56 hectares. The applicant proposes an off site Neighbourhood Equipped Area for Play adjoining the application boundary to the west of the site on recreational land owned by the Council.

It is not proposed that any open space provision is laid out with formal outdoor sports pitches and the applicant justifies this on the proximity of the site to the adjacent Shukers Fields pitches together with various enhancements to these sports pitches, play areas and associated facilities. This would also include placing a 1.6 hectare private sports pitch land at Shukers Fields into Council/public ownership and ensuring a new full size off-site pitch is provided for on land adjoining the Burton Borough School which the applicant indicates would fully compensate for the loss of the pitches within the application site. The applicants have stated these aspects can be secured through a Section 106 Planning Obligation and planning conditions.

The proposal also includes 0.22ha of land specifically for an extension to existing allotments in the north eastern corner of the site, as indicated on the Illustrative Masterplan. Access to the existing allotments is provided at the end of Meadow View Road. Following a request by the Town Council, the applicant has confirmed that pedestrian access to the allotment extension would also be provided for, through the proposed development. Within the applicant's Section 106 Heads of Terms it is stated that it is their intention that this land be provided to Newport Town Council who own and administer the existing allotment site.

The applicant states that pre-application discussions between them and the Town Council have established that drainage difficulties exist with the land in the northern part of the cemetery to be used as an extension area for burials. The applicants understand that these drainage difficulties, caused by the presence of a high water table are likely to necessitate the raising of the existing ground levels to ensure appropriate burial conditions are established.

The applicant says this is likely to result in the overall capacity of the cemetery extension land being reduced due to the need to grade the land around the site's periphery. Whilst the application proposals do not include land specifically for a cemetery extension, they do provide for a gradual grading of the land within the application site boundary, where it adjoins the northern boundary of the cemetery extension land. A cross section indicating how this would work is provided in the

Design and Access Statement. If ground levels need to be raised this would facilitate a greater area of the cemetery extension land to be used, should the Town Council seek to utilise this area. .

Vehicular access into the site would be from a single priority junction serving the site from Audley Avenue, with an emergency access also onto Audley Avenue. The existing bus gate along Audley Avenue towards Newport town centre shall be retained and therefore all vehicular access into and out of the site will lead along Audley Avenue to the Newport by-pass (A518) which is near to the point where it meets the A41.

Pedestrians, cyclists and buses would still be able to travel directly through to Newport town centre and a combined foot/cycleway is also proposed along the frontage of the site. Further pedestrian access into the site would be provided to the north west of the site to the adjoining public open space of Shukers Fields and the footpath accessing Meadow View Road.

Within the proposed site the Illustrative Masterplan envisages a single main street with an internal loop provided to aid circulation off which they would be secondary roads to service residential development blocks.

The 'associated infrastructure' in the application description is also likely to include a pumping station and electricity sub station, the details of which would be provided for in any reserved matters application.

The application has been submitted with the following documents in support of the proposals:

- Amended Planning Statement (including S106 Heads of Terms);
- Site Location Plan, Illustrative Masterplan, Framework and Open Space plans and Highway Access Plan (as amended);
- Design and Access Statement (as amended);
- Transport Assessment (plus addendum);
- Framework Travel Plan;
- Drainage Strategy and Flood Risk Statement (plus addendum);
- Geo Environmental Report;
- Utilities Report;
- Noise Assessment (plus addendum);
- Air Quality Assessment;
- Ecological Appraisal (plus addendum);
- Habitats Regulations Report;
- Arboricultural Assessment (plus addendum);
- Landscape and Visual Appraisal (plus addendum);
- Statement of Community Involvement;
- Addendum to Planning Statement and S106 Heads of Terms; and

- Playing Pitch Assessment Report.

Prior to submission of a formal application the applicant has engaged in pre-application discussions with Council Officers through a Strategic Application Workshop meeting. There has been engagement with the local community on the proposals with the outcome of this exercise being provided in the Statement of Community Involvement.

Whilst this report concerns the application at Audley Avenue, reference in this report will be made to the fact that this application is one of four applications submitted to the Council in the last 14 months seeking consent for residential development in and around Newport. In addition to the Audley Avenue site, these are as follows:

- Outline application for up to 285 dwellings at Wellington Road (TWC/2011/0821);
- Outline application for up to 350 dwellings north and south of Station Road (TWC/2011/0871) as part of a mixed use development; and
- Full application for 34 houses at land to rear of Maynards Croft (TWC/2012/0211).

The location of all four applications is shown on a plan at the end of this report. Plans Board at their meeting on the 1st August 2012 resolved to grant permission for the first and third of the applications above subject to the signing of Section 106 agreements which remain under discussion between Officers and applicants at the time of writing of this report. The second application is yet to be considered by members of Board

In analysing the housing need and supply situation in the Newport area this report will consider the wider implications of all the residential applications and the cumulative effects of the proposed developments in relation to provision of physical and social community infrastructure. In responding to these applications both Highways and Education consultations have likewise considered the cumulative effect of the number of dwellings proposed should permission be granted.

SITE AND SURROUNDINGS:

The site is located within the administrative boundary of Newport Town Council. Newport town centre lies approximately 1km to the west.

The application site extends to 8.8 hectares in total. Upon the advice of the applicant, the southern part of the site was until May 2011 used as private sports fields comprising 2 football pitches with associated outbuildings and parking. The larger part of the site comprises small to medium sized rectangular fields. The north-eastern corner appears to be used as a pony paddock. There are a number of

hedgerow and mature trees on site, some of which are covered by Tree Preservation Orders.

Boundaries are well defined and contained by existing landscape features, development and roads. An existing hedgerow defines the site's northern boundary beyond which is an existing area of public allotments. The pony paddock area also adjoins the allotments but shares a boundary with an embankment of the A41 bypass.

The eastern boundary of the site in part adjoins on area of open land where there is a small brook into which ditches from the site drain. The rest of the eastern boundary adjoins an area of industrial land and premises.

The southern boundary of the site forms Audley Avenue the other side of which are further areas of industrial land and premises. Audley Avenue runs north west to south east from the centre of Newport towards to a junction with the A518 bypass.

The majority of the site's western boundary is shared with Newport's cemetery and also with an area of public open space forming part of the wider Shukers Field pitches. The topography of the site is broadly flat.

PLANNING HISTORY:

The application site was included in the Telford and Wrekin Land Allocations Development Document Preferred Options Report of September 2005 as a Housing Allocations site with a potential capacity of 270 dwellings to be delivered during 2006-2011. However, the Land Allocations DPD did not progress beyond the Preferred Options stage.

PLANNING POLICY CONTEXT:

National Planning Policy Framework

Saved Wrekin Local Plan policies

Policy NR6 – Waste Disposal and Recycling facilities

Policy UD2 – Design Criteria

Policy UD5 – Public Art

Policy H9 – Location of new housing

Policy H10 – Scale of new development

Policy H22 - Community Facilities

Policy H23 – Affordable Housing

Policy T22 – Planning Obligations

Policy OL6 – Open Land

Policy OL12 – Open Land and Landscape – contributions from new development

Policy OL13 – Maintenance of Open Space

Policy LR4 - Outdoor recreational Open Space
Policy LR6 – Developer contributions to outdoor recreation open space provision within new residential developments

LDF Core Strategy policies
Policy CS1 – Homes
Policy CS6 – Newport
Policy CS7 – Rural Area
Policy CS9 – Accessibility and Social Inclusion
Policy CS10 – Community Facilities
Policy CS 11 – Open Space
Policy CS12 – Natural Environment
Policy CS13 – Environmental Resources
Policy CS15 – Urban Design

CONSULTATION RESPONSES:

For all consultations received by the Development Management Team the following text below represents a summary of the salient points made in relation to the application. Full versions of all consultation responses can be viewed by Members of the Plans Board via the Council's eplanning system.

Internal consultations from within Telford and Wrekin Council

TWC Highways Engineers

In acknowledgement of the number of major planning applications currently being considered by the LPA in and around Newport, the Council's Highways Engineers are concerned that the cumulative impact on the local highway network, should these developments all receive planning consent, will be such as to cause capacity and safety issues on parts of the strategic highway network.

The Highway Authority is concerned that the cumulative impact on the local highway network, should these developments all receive consent, will be such as to cause capacity and safety issues on parts of the strategic highway network. In light of this the Highway Authority has carried out an assessment of the cumulative impact, based on the background counts carried out in support of the developments and on the distribution of development trips put forward by each highway consultant for their respective developments.

These monies would be secured through a suitably worded Section 106 agreement with the works delivered at appropriate trigger points based on phasing of

development. In terms of this application the proportional impact will require a contribution of £314,072.

Physical works that have been identified for access are not included and will need to be delivered by the relevant development under S278 Agreement.

The site does not currently have the benefit of access to any public transport. However the development proposals currently being promoted on adjoining land will require enhancements to the public transport provision and the associated infrastructure and this site will benefit from this. This would encourage sustainable travel around the town and would provide linkages between residential, retail and employment areas.

The total level of development proposed will take a number of years to completely build out. To ensure the enhanced services are still running at that time it is proposed to pool all the bus subsidies. The development will need to provide a subsidy of £120,000. Infrastructure such as bus shelters and bus boarder kerbs will be additional to this. Suggested that a figure of £10,000 is required on the basis of two stops on Audley Avenue. The Passenger Transport Team would procure the service and would agree the timetable.

The proposals include the provision of a footway/cycleway link along the site frontage running from Parkland House to the Cemetery. This will link into the adjoining facility provided for by TWC/2011/0853 & W2009/0312 (or TWC/2011/0632 & TWC/2012/011 if approved) and the new alignment for the Sustrans NCN 55 being carried out by others.

As the application is in outline, conditions should include:

- Details of site layout in connection with roads, footpaths, cycleway, parking, street lighting and furniture and drainage etc and their construction;
- Provision of the new site access junction and emergency access from Audley Avenue;
- The site frontage footway/cycleway to Audley Avenue widened to a minimum of 3.0m between Parklands House and the Cemetery as generally indicated on drw.no.PSHARN-007G;
- Details of a Travel Plan for the development shall be submitted to and approved in writing in addition to £5,000 financial contribution to Travel Monitoring.

TWC Drainage Engineers

There is no objection to the development in principle. However the proposed development should comply in full with the recommendations of the Flood Risk Assessment.

The reserved matters application should include:

- Details on the levels of groundwater on site. This must include winter levels.
- Full design details for the lining on the attenuation feature based on the above borehole information.
- Full calculations in electronic format on how the site will be restricted to a maximum discharge rate of 44l/s whilst attenuating all flows up to and including the 1 in 100 year +30% storm event.
- Full drainage layout with numbered pipe runs that correspond to the above calculations.
- Details on the proposed point of connection to the existing watercourse and evidence of agreements with any 3rd party land owner.
- Details on the proposed future ownership of any SUDS feature. If this is to be TWC, evidence is required that a management plan has been provided and commuted sums have been agreed.
- Exceedance flood routing plans for all flows above the 1 in 100 year +30% storm event. Exceedance flows should be directed away from properties and into areas of public open space.

TWC Geotechnical Engineers

Support subject to conditions. The site is affected by high ground water levels. This must be considered when designing the foundations and BRE Protocol 1 must be followed especially in relation to high ground water. Carefully consideration must also be taken to the adjacent cemetery site which is currently monitoring ground water levels for a cemetery extension. Condition B57 contaminated land is recommended.

TWC Parks and Open Spaces Officer

Updated response following Playing Pitch Assessment Report. The current layout proposes the provision of an off site NEAP (Neighbourhood Equipped Area of Play) which would meet the needs arising from the development. Off site provision adjacent to the site is accepted (if a commuted sum for maintenance is secured) and has been agreed on the basis of the financial contribution of £162,000, although this is subject to clarification on a few matters.

Consideration should be given to whether it would be appropriate to include a requirement of a condition to require developers not to sell any overlooking properties to the proposed play provision until the play provision has been built. This is to ensure prospective purchasers are fully aware of the play provision in proximity to these properties at the time of purchase.

An overall landscape management strategy would need to be conditioned as part of any approval. There is a significant amount of open space proposed and this needs to be managed effectively. It appears the applicant wishes for the council to adopt any POS and provide a commuted sum for ongoing maintenance. However, as

stated above, the POS proposed is extensive and any commuted sum request would match the scale of area / POS to be adopted. Should you be minded to approve, P & OS will need to ensure a suitably agreed commuted sum can be provided. At outline stage P & OS are unable to supply costs as the sum is calculated on a site by site basis and there is no landscape detail provided. Therefore a schedule of rates needs to be agreed.

There are a number of proposed improvements to the Shukers playing field and changing room / car park. Although these are welcome, the detail provided is insufficient to fully evaluate what exactly is being proposed. i.e. refurbishment of the existing changing rooms – what is the extent of the refurbishment. I would request that these are agreed in more detail prior to commencement of development. There is also a need to identify the timing of the funding for these improvements and confirm who is to carry out these improvements (the developer / Telford & Wrekin Council / Nova). In addition, will the proposed container require planning permission and is this to be paid for by the developer? The same may need to be applied to the ball stop fencing.

A number of obligations (as highlighted above) will require a S106 agreement to be approved. This will need to be approved prior to commencement of development and where figures are unable to be provided (as in POS commuted sum costs) a schedule of rates provided.

Overall the proposed application has addressed a number of original concerns. However, there are some minor queries in regards to P & OS issues in regard to this application and we would be happy for you to approach the applicant for a response.

TWC Sports and Leisure Services

Leisure Services support the view of Sport England, as detailed in their response to the application that the proposed mitigation package (contained within Playing Pitch Assessment Report) is considered sufficient to outweigh the loss of playing field on the Audco site and therefore are supportive of the development assuming the required obligations detailed by Sport England and those requirements below are met. Further detail to the planning conditions required by Sport England is also requested

TWC Housing Policy & Enabling Officer

Has supplied a joint Affordable housing needs in Newport report in light of the three large planning applications in Newport. The need for 35% affordable housing in Newport is supported by information from the following sources:

- Strategic Housing Market Assessment (SHMA)
- Telford & Wrekin's Choice Based Lettings scheme

- 2005 housing needs summary
- A profile of the existing affordable housing stock
- A profile of the current housing market
- A profile of the population of Newport

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

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

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

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

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

Data regarding the population of Newport (see Appendix 6) shows that approximately 30% of households fall into categories which are highly likely to have incomes of less than £30,000 per annum and would therefore be unable to afford to buy.

It is also worth noting that it has been very difficult to achieve increased affordable provision in Newport as most of the sites which have come forward over the implementation period of the plan have been below the 15 unit threshold for affordable provision. Any provision which has been achieved has mostly been on small infill sites, and there have been an average of only seven affordable completions per annum over the last seven years. Opportunities such as these large schemes are therefore critical to meeting the long term affordable needs of the town and its rural hinterland.

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

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

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

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

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

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

Social rented

2 bedroom 4 person houses – 20%

3 bedroom 5 person houses – 30%

4 bedroom 7 person houses – 7%

2 bedroom bungalows for older people – 20%
 Full wheelchair standard properties – 3%
 (For older and/or disabled people of any age. These could be 2, 3 or 4 bed sizes and could consist of houses with a lift, or bungalows - ideally a mix of both)

Social rented = 80% of total affordable provision

Shared ownership (depending on market)

2 bedroom 4 person houses – 15%
 3 bedroom 5 person houses – 5%

Shared ownership = 20% of total affordable provision

TWC Education

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

The Newport area at secondary level is served by:

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

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

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

Combined Newport Area Projection 2012											
	Sept Yr	Y 7	Y 8	Y 9	Y1 0	Y1 1	Y1 2	Y1 3	Total	Net Capacity	Surpluses %
Total Newport Area	2012	37 1	36 3	37 4	37 3	38 5	21 6	19 6	227 8	2260	-1
	2013	33 5	37 3	37 1	37 0	37 1	22 0	20 6	224 5	2260	1
	2014	35	33	38	36	36	21	21	223	2260	1

		5	7	1	8	9	2	1	3		
	2015	35 5	35 9	34 7	38 0	36 9	20 8	20 3	222 1	2260	2
	2016	37 6	35 9	36 9	34 6	38 0	21 9	19 8	224 8	2260	1
	2017	38 2	37 9	36 8	36 7	34 5	21 9	21 0	227 0	2260	-0

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

The Newport area at primary level is served by:

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

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

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

TOTAL S	Census Yr	Rec	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Total	Net Capacity	% Surplus
	2012	224	24 4	25 8	24 2	24 4	26 5	27 2	174 9	1906	8
	2013	255	23 6	25 7	26 3	24 9	25 4	27 0	178 3	1906	6
	2014	261	26 7	24 8	26 6	27 3	25 9	25 8	183 1	1906	4
	2015	229	27	27	25	27	28	26	185	1906	3

			1	9	8	3	1	2	3		
	2016	200	23	28	27	26	28	28	183		
			8	3	9	6	1	4	2	1906	4
	2017	234	20	24	29	28	27	28	182		
			8	9	0	8	4	4	7	1906	4

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

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

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

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

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

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

- Wellington Road - @ 285 houses (TWC/2011/0821);
- Audley Avenue - @ 215 houses (TWC/2011/0827);
- Station Road - @ 350 houses (TWC/2011/0871);

- Maynards Croft - @ 33 houses (TWC/2012/0211).

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

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

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

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

TWC Arboricultural Officer

Support subject to conditions. Following receipt of the updated information, if consent is afforded to the application the following conditions should be imposed as pre-commencement.

I am happy that T13 (TPO'd Oak) is now to be retained however greater detail will be required as the illustrative master plan does not show enough detail e.g. currently T13 appears to be growing out of the proposed balancing pond, the root protection area for the tree has been specified as 11.8 metres. Therefore as the applicants are providing a Tree Protection Plan T13 should appear on this now that it is to be retained.

Landscaping

B121 Landscaping Design.

B126 & B128; Landscape Management & Maintenance; plans detailing species selection, planting schedule, location, watering regime and boundary treatments, 20% of the proposed planting adjacent to the balancing pond are intended to be Grey poplar, ideally we would request a different choice of species either Swamp

cypress of Dawn Redwood, which in turn would offer brighter autumnal colours greater longevity and a better safety factor.

C76 Landscape Implementation hard & soft

Trees

B130 Tree Protective Fencing; Prior to the commencement of the development and following the proposed remedial tree works, HERAS fencing as depicted on page 33 of FPCR Arboricultural Assessment will be installed around all retained trees within or adjacent to the site, in relation to the Tree Protection and Tree Constraints Plan produced by FPCR which will be produced by FPCR subject to approval.

B131 Tree Services Root Protection; Plans detailing all service runs, where they are to run adjacent to or through the RPA of trees within or adjacent to the site.

As referred to within the September Arb Assessment point 4.40 services near any existing or proposed trees, should be ducted for future ease of access and maintenance.

The use of root barriers is encouraged where trees are planted adjacent pavements and roads to ensure that surface roots will not create trip hazards in the future.

B134 TPO Extent of Works; All proposed tree works should be carried out prior to the erection of the HERAS fencing and the commencement of any construction within the site.

There are further proposals required for **T9** is the tree to be retained for its ecological value within the site as suggested within the Arb Assessment?

A full definitive list of proposals for tree works should be submitted for approval.

B132 Trees No Dig Method; The illustrative master plan shows a number of areas within and adjacent to the site where roads or pedestrian rides are to run either in close proximity or through the RPA of trees within the site. Therefore an Arboricultural Method Statement will be required to demonstrate how the applicants intend to do this without damaging the roots of the trees.

As referred to within the September Arb Assessment if the proposal is granted consent then an Arb Method Statement would be produced in conjunction with a Tree Constraints Plan and a Tree Protection Plan.

Following the updated junction arrangement Drawing No. PSHARN-007 the applicants are proposing a 'no dig' construction technique to install the foot and cycle way around the Oak to the front of the site.

B133, 135 & 136 TPO Replacements, Planting details & Scheme;

Within the tree report 35 trees are proposed for removal a number of these are subject to TPO's, and a large proportion of these are Lombardy poplars which have been identified as approaching the end of their safe useful life, **therefore in mitigation for there loss replacements will be required.** This is to ensure that the amenity of the site is upheld for future generations.

C79 TPO Tree Suitable Contractor. To carry out all proposed tree woks within or adjacent to the site prior to the commencement of the development if approved by the authority.

C70 Trees – No Burning

C71 Trees - Soil Levels

C72 Trees – Materials Storage

TWC Sustainability Officer

A statement is required in the design and access statement where the developer should look to explain how they believe they have developed a valid and sustainable design solution. One of the most effective ways of securing more sustainable developments, and reducing climate change emissions, is to develop residential buildings to achieve Code for Sustainable Homes standards.

As such, the built development will need to meet the environmental standards outlined below:

The development must be completed using CSH.

- CSH assessments for the scheme will need to be undertaken at the design stage and also at post-construction review.
- The development will be required to meet CSH rating 4. Please note that CSH is updated regularly. The developer must refer to the latest version or the prevailing sustainable standards - whichever is the higher at the time of submission of reserved matters.
- Developers and designers should involve a CSH assessor as early as possible in the design process, to ensure the rating is achieved in a cost effective manner.

Due consideration must be given to the Habitat Regulation Assessment (HRA), as the scheme has the potential to impact habitats of European importance.

TWC Planning Ecologist

Support subject to conditions.

Bats

Two nocturnal transect surveys were carried out, one in 2010 and one in 2011, each using two surveyors. Whilst this isn't ideal, the results are unlikely to differ greatly if further surveys were carried out.

Relatively low bat activity was recorded across the site during both surveys, with foraging mainly associated with the hedgerows and mature trees. During the second transect there were "slightly higher concentrations [of activity] along the western side of hedgerow H5 and adjacent pond P3 on the eastern boundary." Common pipistrelles were most commonly recorded, with soprano pipistrelle, whiskered / Brandt's, noctule, brown long eared and an unidentified myotis also recorded.

One tree with bat potential, T13, is proposed for removal as part of the development, and so an emergence survey was carried out on this tree in May 2011. Common and soprano pipistrelles were recorded foraging and commuting in the area, but no bats emerged from the tree.

A number of other trees on site were considered to have potential to support roosting bats, but the following paragraph from the Ecological Appraisal Addendum explains why focussed surveys on these trees are not considered necessary:

All trees offering some potentially suitable bat roosting habitat are to be retained and buffered by additional landscape planting. In addition, a commitment to the implementation of a wildlife sensitive development lighting scheme and careful design of the overall layout of the scheme including Public Open Space have also minimised the likelihood of potential long term impacts on the trees and any potential tree bat roost sites. Design features such as the retention of the majority of hedgerows, significant bolstering of the eastern and western boundary hedgerows, provision of a wet ditch along the eastern boundary, provision of significant Green Infrastructure along the eastern site boundary and buffering of retained hedgerows are considered sufficient to allow the continued use of the site by the low numbers of commuting and foraging bats observed. As such, it is considered that all trees highlighted as potentially offering potential to roosting bats will not be directly or indirectly affected by the development proposals.

As long as these provisions are delivered I am satisfied that bats won't be adversely affected by the development.

Amphibians

The three ponds on site were assessed as having poor potential to support great crested newts. No amphibians were recorded during the presence/absence surveys

undertaken in spring 2008. Surveys were going to be repeated in 2011 but the ponds had dried up.

An additional pond was later identified 205m south-east of the site boundary. However, this pond “is isolated from the development by industrial buildings, hardstanding and a road which are considered to constitute a significant barrier to dispersal. Therefore, it is considered that no further assessment of the pond is required in relation to GCN.”

Reptiles

No evidence of reptiles was observed on site. The site has limited value for reptiles due to grazing, management and isolation from other suitable habitats.

Water voles

No evidence of water voles was observed on site. The ditch was dry in 2010 and unsuitable to support water voles.

Badgers

No evidence of badgers was observed on site or within the site boundaries.

Mitigation, compensation and enhancements

The mitigation, compensation and enhancement measures proposed in the ecological assessment should be written into a management plan, with appropriate funds set aside to carry out long-term management of the site. If this is not deemed appropriate then the recommendations in sections 4.15-4.23 of the report should be conditioned.

I also recommend the following condition for the erection of nest boxes to compensate for lost nesting and roosting opportunities, and to enhance the site for biodiversity.

TWC Environmental Health (Pollution Control)

The original advice made below remains the view of the Environmental Health Officer even after consideration of representations made by Mornflake operators and owners of Audley Business Park, as described later in this report.

There are no grounds for objection in relation to Air Quality, as the submitted Air Quality Data shows acceptable levels are to be maintained. We would request that any Section 106 agreement include provision for ongoing work on Air Quality at a level to be agreed.

There are issues regarding noise which need to be considered.

Planning Permission was granted on 29/12/2011 for an Industrial Development on the eastern boundary of the proposed development. The permission granted is for a Car Auction and Class B2 use. Class B2 includes operations which are capable of being detrimental to the amenities of sensitive receptors by reason of noise, vibration, smell, fumes, smoke, ash, dust or grit. There are no restrictions on hours of operation or noise levels for these units.

These buildings are situated on the Eastern Boundary of this application and as such there will be minimal distance attenuation. As the Industrial Estate has not yet been constructed we have no measureable noise levels specific to this site.

In relation to noise it would be technically possible to provide Noise Attenuation Measures for a residential development adjacent to typical B2 use, even using the Quiet Borough standards. These measures would however place severe constraints on the design, layout and construction of any properties along the eastern boundary of the site.

It is important to note however that this is based on a typical B2 Class Use and it is possible that a process may be undertaken in this development which is particularly annoying to the human ear. If Plans Board are minded to approve this application it is recommended that the following condition be incorporated into any such permission granted.

No development shall commence until a Detailed Scheme of Noise Attenuation Measures, including but not restricted to, the design, layout and form of construction of any Noise Sensitive Receptors be submitted to, and agreed in writing with, the Local Planning Authority.

Any such Scheme may also need to include suitable noise bunds and or barriers.

Any Class B2 industrial use is capable of affecting the amenity of sensitive receptors by reason of vibration, smell, fumes, smoke, soot, ash, dust or grit in addition to noise.

As there are currently no details available of the exact processes which may be carried out we cannot accurately comment on the extent to which this may occur. If either the noise levels or any of the above factors cause Statutory Nuisance to the Proposed Residential Development then Public Protection will be under a legal duty to take Enforcement Action.

This could involve the service of legal notices which could restrict the activities carried out within the B2 Units or involve the operators in considerable financial expense in installing appropriate mitigation measures.

TWC Environmental Health (Contaminated Land)

Support. In accordance with Environmental Health policy due to the scale of development a standard land contamination condition (B57) should be attached any permission granted.

TWC Urban Design Officer

No comment.

Principal Planning Officer (Minerals and Waste)

The site is in a Mineral Safeguarding Area in relation to underlying deposits of sand and gravel. It is noted that it is adjacent to road infrastructure, substantial housing development and industrial units (B class use) and Newport cemetery. Given the need for standoffs from theoretical extraction limits and graded batters on a theoretical quarry face from existing road infrastructure, built development and consecrated ground, it is considered that any mineral which may be present within the site is already effectively sterilised. In addition, there would be major environmental concerns about working any mineral present so close to major residential development, industrial units and Newport Cemetery. As a fall back position, it is always possible to work a small amount of any valuable minerals present during prior to construction of the other designated developments and avoid some sterilisation of minerals in the process. In conclusion, there is no objection to the site being developed on minerals sterilisation grounds.

External consultations

Severn Trent Water

In acknowledgement of the number of planning applications currently being considered by the LPA, Severn Trent Water has prepared a "Position Statement". In summary, the following represents STW's position:

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

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

look at solutions and options will be completed early summer 2012. Possible solutions include the developers reducing the amount of surface water (rain water) that enters the foul sewers, which will free up capacity for additional foul flows, and/or replacing parts of the sewerage system with larger sewers. The costs and benefits of each of the options will be assessed and the most suitable solution will be selected. STW may invite the LPA to delay commencement or occupation of any development until sufficient capacity is provided. STW recommend that the Council uses appropriate conditions on planning applications to ensure that developers provide details of foul drainage that the Council would then approve.

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

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

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

Environment Agency

The site lies in Flood Zone 1 on our Flood Zone Maps which is the zone of low risk of fluvial flooding. As it is primarily a greenfield site and the development will increase the area which is impermeable, we recommend that a condition is included in any permission you may be minded to grant to ensure that surface water run-off from the site will be controlled to greenfield run-off rates of 5l/s/ha with attenuation storage for the 100 yr flood event plus a 30% climate change allowance. This is stated within para 1.2.2 and section 4 of the Drainage Strategy / FRA dated September 2011 ref PSHARN 1006 v3 by Halcrow but requires to be enforced.

Care should be taken in the detailed design following the outline permission, to ensure that any/all of the existing drainage from the surrounding area is picked up. The indicative layout shows a conveyance channel through the site and

improvements to the existing surface water ditch on the east side of the site and both these must be incorporated into the detailed design.

The proposed development site lies over a major aquifer, is in an outer source protection zone for public water supplies and appears to have a high water table. We would therefore recommend ground investigation is undertaken prior to submission of reserved matters to inform the detail of the drainage strategy and to ensure that no pathways are created to contaminate groundwater (see para 4.2.2 of the above Drainage Strategy).

To increase ecological benefit as well as flood risk benefit from the balancing pond, we recommend that it be designed with a variety of depths and bank profiles to provide a range of habitats for submerged and emergent vegetation. The inclusion of deeper sumps within the pond will help to ensure that during drier summers aquatic habitat are sustained, enabling amphibians and invertebrates to survive from year to year. Additionally these deeper areas may help to prevent certain emergent plants (Reedmace) from spreading across the pond.

As many aquatic invertebrates have terrestrial life stages, it would be beneficial to have a buffer strip of longer or tussocky grass round the pond to provide some continuity of habitat for such species. It is important in introducing aquatic plant species, that non native and invasive species should be avoided, both in the specification and inadvertently introduced with legitimate species.

Natural England

Designated Sites (European Sites (Natura 2000 Network) - The application site is within 5 km of Aqualate Mere Site of Special Scientific Interest (SSSI). This SSSI forms part of the West Midlands Meres and Mosses (Phase 1 and Phase 2) Ramsar Sites. PPS9 makes clear that Ramsar designated sites are to be considered of equivalent status to European Sites (SPA/SAC).

Natural England has no objection to the development proposal in relation to designated sites (International Sites and UK Sites of Special Scientific Interest).

It is their view that, either alone or in combination with other plans or projects, the proposal would not be likely to have a significant effect on the important interest features of the West Midlands Meres and Mosses (Phase 1 and Phase 2) Ramsar Sites or any of the special scientific interest features of the Aqualate Mere Site of Special Scientific Interest (SSSI). The detailed reasoning behind this view was provided in the response from Natural England.

Sites of Special Scientific Interest (SSSI) - Newport Canal SSSI is located close to the existing Severn Trent Water Ltd waste water treatment works. Based on the information discussed at our recent meeting with your council, the Environment

Agency and Seven Trent Water Ltd regarding public water supply and foul drainage provision Natural England has no objection to this development in relation to these issues. This is because our discussions confirmed that there were no significant environmental impacts from water supply or waste water treatment on Aqualate Mere (part of the Midlands Mosses and Meres Ramsar site phase 2) or Newport Canal SSSI.

Shropshire Council Archaeologist

No comment.

Shropshire Wildlife Trust

The inclusion of a green infrastructure plan is very welcome. The area earmarked for a balancing pond and extension to the allotments would perhaps be more appropriately designated for accessible natural green space. As well as providing a benefit for wildlife this would go some way towards addressing the deficit of accessible natural green space identified in PPG17 studies.

We are aware of opinions that the field in this area, identified as improved grassland to the north (balancing pond area) has greater potential than may be suggested in the report. We would therefore suggest that some additional thought is given to this area.

The proposal that a balancing pond will compensate for the loss of ephemeral ponds has some merit. It should include features such as shallow margins and marsh areas to maximise biodiversity gain as well as being able to retain any polluted run off and prevent it from entering the wider environment. Given the reports of water vole on the water course running alongside the north eastern boundary of the site (although the population appears to have been destroyed in recent years) this may be especially relevant.

Trees and hedgerows should be retained and lighting schemes designed to avoid disturbance to these and other areas of green infrastructure.

Sport England

Support subject to conditions. Further to our letter dated 17th November 2011 (initially objecting to the application) additional information has been provided with regard to the impact of the proposed development on local sporting provision.

As set out in our previous correspondence, the proposal would lead to the loss of playing field provision and Sport England has therefore considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the

playing field from development and not just those which, for the time being, are laid out as pitches.

Following discussions with the applicants and Council leisure officers, the proposals now include an off site replacement area of grass playing field. The proposed area lies adjacent to Burton Borough School and it is intended that once delivered, this area will form part of the playing field provision at the school. This will extend the quantitative area of the schools playing field. In addition, and importantly, it is also proposed that the whole playing field at the school, including the proposed additional replacement area will become formally available for structured community use.

In quantitative terms, the proposed replacement area would be approximately half of the size of the existing 'Audco' playing field. However, through the opening up the existing school provision and this additional land for structured community access, significant additional pitch provision can be made accessible for the local community when compared to the current position.

The Council's supply and demand data has indicated that this additional accessible supply will provide sufficient levels of pitch provision in Newport to meet peak time demand. In addition, the Council's supply and demand modelling indicates that the overall number of pitches available to the community has the capacity to meet additional demand generated by the potential future expansion of Newport.

In addition to the proposed quantitative area of replacement playing field area, a package of improvements is proposed in relation to The Shukers Fields. This site is understood to be subject to a rolling agreement with a local community Football Club (Nova F.C) under a 'Self Help Agreement'.

As part of this planning application process, the following priorities for investment have been identified. These are understood to have arisen from discussions with Council officers, representatives from Nova F.C and the F.A.

- Survey work leading to implementation of improved drainage system.
- Levelling of the site, including re-grading and re-seeding to deliver greater flexibility and facilitate the required pitch use.
- Provision of storage facility to securely store goals posts and maintenance equipment.
- Refurbishment of changing rooms
- Ball stop fencing at relevant points of the site
- Shutters provided to dug outs

A further aspect to the proposed improvements to the Shukers Fields Site is the transfer of the area currently in private ownership to Telford and Wrekin Council.

The package of overall mitigation measures partially consists of like for like quantitative replacement and partially consists of operational, qualitative and access improvements to existing provision in the area. Using the context provided by the Council's supply and demand information, it appears that the overall mitigation package will facilitate access of a greater range of pitches with improved quality. Importantly, it appears the proposed mitigation measures will maintain a local pitch stock which is sufficient in size and quality to meet current and likely future demand.

In principle, we therefore consider that the suggested mitigation package is sufficient to outweigh the loss of playing field at the Audco site. However, this position is subject to appropriate conditions and legal agreements which secure the delivery of the proposed mitigation measures. We suggest the following:

Legal Agreement

An appropriate agreement which secures the delivery of 1.6ha of land owned by The Haberdashers Company into public control prior to the commencement of development.

Planning Conditions

1. A condition which states that prior to the commencement of any development on the site of the Audco pitches, planning consent must have been granted for the proposed new area of playing field on land adjacent to Burton Borough School. The application should include details of the proposed structured community access to the whole playing field site in the form of an agreement that will be subsequently implemented.
2. A condition which states that the replacement area of playing field area must be implemented to the satisfaction of the LPA and stakeholders prior to the occupation of the 75th dwelling.
3. A condition which states that prior to the commencement of any development on the site of the Audco pitches, the details of the proposed improvements to the Shukers Fields involving pitch drainage and levelling are submitted and agreed in writing with the Local Planning Authority. The condition should also state that the agreed works are implemented no later than occupation of the 50th dwelling.
4. A condition which specifies that prior to the commencement of any development on the site of the Audco pitches, full details of the package of improvements and funding for the ancillary facilities at Shukers Fields be agreed in writing with the LPA (in consultation with its stakeholders). The condition should also state that the agreed improvements shall be implemented on site no later than occupation of the 75th dwelling.

It is important to note that the proposed replacement area of playing field and the proposed improvements to Shukers field are considered to be mitigation for the loss of playing field. As suggested in our previous correspondence, we also encourage

that consideration is given to the increased demands from the housing proposed and appropriate measures to offset this.

In summary however, Sport England withdraws our outstanding objection to the loss of playing field proposed by this application, **subject** to the above matters being addressed by suitable conditions being attached to the decision notice (if the Council are minded to approve the application). We would wish to agree the precise condition wording prior to the application being determined.

If the Planning Authority decides not to address these matters through relevant conditions, Sport England may wish to maintain an objection to this application. In such circumstances, please discuss with the undersigned. In the event of the Planning Authority being minded to approve the application without addressing these matters, the application should be referred to the National Planning Casework Unit in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011.

National Grid (gas infrastructure)

The proposed areas of development have been checked and currently we do not predict any major problems to the network, other than for one development for the North and South of Station road. Should this site be fully built then major reinforcement works will be required in the area. We will deal with requests to connect to our network on an individual basis as they come in from developers.

Western Power Distribution (electricity infrastructure)

As requested they have checked the 3 locations for proposed developments in Newport at Wellington Road, Audley Avenue and Station Road. There is spare capacity at their Newport primary substation located at Longford Road (next to Vauxhall Farm) and both 11kV feeders called "Longford Rd Tees" and "Ford Road/Vauxhall ABI". It would only be necessary to overlay part of the 11kV cables which would feed new developments and which are mainly located in the footpaths in the adjacent area. They would deal with requests to connect to their network as they come in from developers and do not predict any particular problems with this development area from their point of view.

Regarding planning permissions which have already been granted for developments at Bromfield Road – TWC/2011/0179, Audley Road – TWC/2011/0334 and Continuing Care Retirement Community – W2008/0934 they would deal with these in the same way as the 3 new applications which are being considered.

Telford and Wrekin Primary Care Trust:

The Primary Care Trust (PCT) has estimated that if all the major applications currently before the Council (and those where a resolution to grant permission has

recently been given) then there would be around 2,800 new patients between 2012 and 2024.

Assuming this is halved between both Newport GP Surgeries -

a) Wellington Road Surgery

Current Patient list - 13450

Actual rooms currently available - 13 consult 3 treatment

Current requirement for above - 10 consult 3 treatment

Increased patient list size - 14850 (current + 1/2 possible increase)

Future requirement based on above list size - 11 consult 3 treatment

b) Linden Hall Surgery

Current Patient list - 12395

Actual rooms currently available - 8 Consult 2 treatment

Current requirement for above - 9 consult 2 treatment

Increased patient list size - 13795 (current + 1/2 possible increase)

Future requirement based on above list size - 10 consult 3 treatment

NB: Linden Hall patient list size also includes Harper Adams students who are seen at the Harper Adams branch surgery (1 consulting room & 1 treatment room).

The practice also has a branch surgery at Muxton (1 consulting room & 1 treatment room).

Therefore Linden Hall Surgery provides a total of 10 consulting rooms & 4 treatment rooms from 3 locations, therefore this combined total is suitable for the anticipated additional patients.

At Circa 18,500 patients a Surgery would require 13 consult/treatment rooms so anything above this then additional consult and treatment rooms would be required if at only 1 location.

The calculations/requirements above are based on the current guidance contained within the relevant Health Building Notice document *HBN 11-01 Facilities for Primary and Community Care Services*, this document provides best practice on the design & layout for primary (GP surgeries) & community care premises and community hospitals.

Therefore the overall impact of 2,800 patients to the actual premises themselves for both surgeries will be acceptable. However, the PCT cannot comment on the actual services provided from these or the types of healthcare provision. For example extra care home facilities obviously will require a different level and type of healthcare requirement for those needed by patients occupying starter homes for example e.g. young families etc.

Whilst the position of both practices above are currently suitable, healthcare standards and regulations however need to be met and premises kept up to date and with the forthcoming CQC registration (April 2013) both practice premises will require some improvements and minor modifications in the future to ensure no non-compliances are encountered with CQC registration. With this in mind the PCT wonder if they could please take forward conversations with regards the Community Infrastructure Levy and perhaps look at providing some additional funding to support the Newport practices and ensure they can accommodate the future increases to the population.

With regard to dental provision, as the PCT does not have an up-to-date Oral Health Needs Assessment Document, capacity for dental provision is measured against performance against contracted activity.

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

National Casework Planning Unit

Whilst the Council does not need to refer this application under the Consultation Direction to the Secretary of State for Communities and Local Government for consideration, the Council has received correspondence from this body (who act on behalf of the Secretary of State). This correspondence stated that should Plans Board be minded to approve this application (or the applications at Wellington Road and Station Road) the National Casework Planning Unit (NCPU) has requested copies of the relevant documents be passed to them to allow an assessment to be made, before any notification is issued to the applicant. This is to allow consideration of whether there are any issues of a significant enough nature to warrant intervention from the Secretary of State, that is, to “Call In” the application.

The application at Wellington Road (ref. TWC/2011/0827) has already been considered by Plans Board and because of a resolution to grant consent it was first referred to the NCPU. The NCPU have subsequently written to confirm that the Secretary of State does not wish to intervene, but nevertheless they state that would still wish the Audley Avenue application to be sent to them prior to any notification issued to the applicant should Plans Board be minded to approve this application.

Local consultation and representations

Newport Town Council

Object with Comments. Members of the Planning Committee discussed the application in the context of the scale of development quoted in the LDF of 60 houses per years; the conclusion was that the number of up to 215 houses for this site is disproportionate. There are currently other permitted applications for the erection of houses that address the acknowledged short fall.

The site is a green field site and space, and is contrary to the recently adopted Planning Principals of this council that it is would seek to have Brown Field sites developed first.

Apprehension was expressed that should the initial infrastructure be established and no houses built, the site has potential to become a building site and a brown field site for many years.

Members were unanimous the bus bollard system, to prevent access and egress on to Audley Avenue remain in situ.

Should the application receive permission, the Town Council welcome the Planning Obligation for the provision of Allotment land. However, consideration should be given to the provision of an access from the development, to negate traffic increase and congestion on the residential roads in the vicinity of the existing allotments. Furthermore, the application discusses the transfer of ownership to Telford & Wrekin Council some of the football playing fields to Telford & Wrekin Council; the Town Council would wish some covenant placed upon the playing fields to ensure they are protected against development for a significant period, perhaps 99 years.

Letters from the Town Clerk to Phil Baker (dated 23 February) and Michael Barker (dated 4 August 2011) of the Local Planning Authority with reference to a previous application in the vicinity of Newport General Cemetery still holds relevance and is submitted along with these comments for consideration as to the historically wet area, high water table and potential ground water pollution.

It was noted on all the large scale planning applications, considered at the meeting, that there were assumptions made on the LDF post 2016 when in fact there is no agreed policy beyond 2016.

Chetwynd Aston and Woodcote Parish Council

Objects to the Greenfield part of this application, but does not object to the Brownfield part. Councillors object to any greenfield development until all brownfield sites in and around Newport have been developed.

Newport and District Civic Society

Joint objection to this application and TWC/2001/0871 (mixed use development to the south) as we understand from the documents that the applicant on both of these outline applications is applying only for approval of access and highway approval works, with all other matters reserved.

On TWC/2011/0827, it would appear that from the traffic assessment report provided by Halcrow, that they have been asked to consider what further traffic flows from other 'Committed Development' applications may have consequences for application 0827 only as regards the application for the food store under TWC/2011/0632. Given the proximity of application TWC/2011/0871 this is clearly wholly inadequate given that the volume of increased traffic from 0871 will be massively in excess of any from 0632 as is shown by the Transport Assessment from Phil Jones Associates Ltd in 0871. Given all three applications will have traffic flows to and from the same highway the omission can only be assumed to have been made to try and maintain 'the fiction' that 0827 and 0871 should not have formed one application.

We submit that for either of 0827 or 0871 to actually operate as schemes with viable traffic flows that they will seek to have the bus gate on Audley Avenue removed. Given the presence of the schools this is simply not acceptable and explains why under earlier proposals discussed with Borough Council representatives from the previous administration i.e. that in place before the last Borough Council elections in May 2011, the proposals then under consideration related to moving the schools to another part of Newport.

On the basis of the inadequacy of the traffic assessment report from Halcrow for 0827 as identified above, we submit that approval should not be granted.

Object to the entire application on the basis that it is both in the wrong location in Newport and is wrong in its size and density. The main reasons for this objection are as follows:

- There is no need for housing given the level of completions since 2006 together with other proposals coming forward therefore this application is not needed to reach the 600 dwellings figure by 2016.
- The Council has failed to carry out what should have been in place for the draft Core Strategy and in the 4 years since it was adopted i.e. an assessment to identify the specific housing needs of Newport and its rural hinterland. Any change from the 600 dwellings number in the Core Strategy should only be accepted by the Plans Board when and if supported by a housing market assessment for Newport and its rural hinterland.
- If granted the development would produce a near monopoly of housing provision in Newport for the developer and house builder over the next 5 years or so.
- The site is in the wrong location. Traffic congestion and safety issues associated with two schools nearby.

- The infrastructure in Newport for the supply of water, removal of storm and foul water, sewage treatment, drainage of the land in general, services for the provision of power (particularly electricity) is old and struggles to cope at times of increased (i.e. not high) demand. What Newport is facing as regards applications already approved, submitted but yet approved and shortly to be submitted, is an unprecedented and, as against usual timescales, immediate huge increase in density of residential, retail and business demands, the consequences of which will not fall to the developers under S.106 contributions but on the residents of Newport and Telford by way of increased utility bills.
- Request that the Plans Board reject the application in its totality and instruct T&W Planning Dept. to produce:-
 - a) A housing needs assessment specific to Newport and its rural hinterland,
 - b) A report with levels of contributions than can be required from developers against levels of housing need for Newport and its rural hinterland.

Newport Regeneration Partnership

Make the following 'representation' to the Plans Board:-

- The absence of a master-plan for Newport has led to an unacceptable and inappropriate piecemeal approach to development proposals coming forward;
- The absence of such an approach has in effect denied the local community an effective voice in helping shape development of this traditional market town for the future. A more open approach would have been consistent with proposals set out in the Localism Bill for neighbourhood plans, and with TWC's publicly stated ambitions to become a cooperative council;
- NRP is not opposed to provision of new housing, especially new affordable housing, but would prefer proposals to come forward for existing brownfield sites within the town before extending to edge-of-town greenfield sites as we contend this is far more sustainable;
- We remain concerned about the cumulative impact of proposals in this planning application, both proposed and recently determined. The cumulative proposals are excessive and significantly out of line with LDF Core Strategy targets to 2016 and with local housing need. The borough council has not yet proven housing need beyond the core strategy plan period nor has it assessed, proven and demonstrated housing need for Newport beyond 2016;
- Consequently, NRP formally request that a decision on this planning application (TWC/2011/0827) be deferred and considered alongside a number of other planning applications (specifically 0821, 0871 & 0916), in light of recently approved applications, and with any other emerging development proposals that are not yet publicly known.

If the borough council are minded to consider this planning application (TWC/2011/0827) separately to other planning applications / development proposals then NRP wishes to lodge the follow concerns:-

- Proposed vehicular access to the development is wholly unacceptable either being entirely through an industrial / commercial area, or with a presumption that the existing bus gate is relocated to allow access along Audley Avenue past the Burton Borough School also allowing commercial traffic along the same route;

- Of course it may be the case that the developer has made an assumption about future use of land on the opposite side of Audley Road which has potential to open up access to their site. We are of a view that it would be entirely inappropriate for the Plans Board to consider such an option unless this application was considered after planning application TWC/2011/0871 had been wholly or partly determined. Otherwise, this application should be refused on access grounds;
- Newport Regeneration Partnership has consistently raised concerns about the cumulative effect of proposed large-scale development in or on the periphery of the town because existing services are already overloaded (i.e. clean water and sewers / sewerage treatment, and overloading of utility services);
- A significant increase in risk of flooding arising from the paved areas of development speeding up the rate of storm-water run-off with a high likelihood that more dwellings and business premises will suffer even worse flooding incidents;
- A cumulative assessment of the increased traffic and related congestion is required for all applications including those recently approved and those now before the Plans Board;
- Additional pressures / demands on local healthcare services will place a greater strain on them especially in light of an increased population, Newport's higher proportion of older people, and an increasing number of young families;
- NRP are also concerned that development of this land will limit any future opportunity to extend Newport's long established and highly valued cemetery.

Newport History Society

Summary of concerns:

- The original drainage ditches for the 16 'pieces' - created when the Marsh was enclosed - have not been kept up.
- The proposed 'allotment extension' will cover a paddock of unimproved ancient pastureland which is of interest to natural history. In addition, the aerial photos of that same area, taken in 1983 and available at the County record Office (SA-IMG 66398) shows that this is an area of possible archaeological interest.
- Because of the large area of the Marsh (111 acres), the proposed 'balancing pond' could end up being difficult to control.
- The cemetery is an indication that the waters of the 'Great Marsh' cannot be underestimated.
- The Marsh Enclosure was for the benefit of Newport people, but Telford & Wrekin have taken the benefit away from the people of Newport, since even the affordable housing has to be 'agreed' at some later stage.

Newport Liberal Democrats

Have provided a joint letter of objection in relation to all current major applications in Newport. In relation to this application the following comments are relevant:

- No need for more houses, leading to loss of green spaces and people coming into the town to live but working elsewhere;

- Inadequate infrastructure and services to accommodate proposed development. Lack of capacity at schools, medical services, sewerage and other utilities and increase in traffic congestion.
- Insufficient employment around Newport meaning new residents would work and shop elsewhere leading to greater congestion and would reduce community cohesion.
- Loss of green space and natural habitat. Plenty of brownfield sites within 20 mile radius including some within Newport.

Local residents

The Council has received over 150 representations from local residents mostly objecting to the application with a handful in support. The responses received and the issues/concerns raised in relation to the application are summarised below:

Objections:-

- No need for more housing in Newport, already many houses for sale and new care village recently permitted in town would release more houses to market. Local housing targets have already been exceeded. Telford has greater capacity and infrastructure to accommodate new housing for the area. Some of the houses would be bought by student landlords not locals.
- New houses in Newport should be built on brownfield sites and sufficient brownfield sites exist within the town.
- Consider that the proposal that 2½ and 3 storey properties is not in keeping with the surroundings. The nearest existing properties, which would be overlooked by the new development, are bungalows and traditional 2 storey dwellings and any new proposals should be sympathetic
- Questions whether affordable houses would be affordable or go to locals.
- Highway concerns relating to increased congestion on Audley Avenue and on junction of A41/A518 bypass. Lack of connectivity for cars between site and town centre will mean any new residents would be isolated from the town. Highway safety increase in vehicles from the site would increase danger to pedestrians and school children. Increase in pollution and emissions from cars owned by residents of proposed development. Limited public transport serving the site.
- Not enough jobs in Newport for existing residents let alone new ones. Already residents commute out of town for jobs and town is steadily becoming a dormitory settlement and this would be reinforced by proposals and increased commuting would result. Houses should be built in Telford, where employment opportunities exist.
- Development would have a negative impact on the identify and character of Newport and its role as a market town.
- Insufficient capacity of infrastructure in the immediate area and town to accommodate the scale of proposals and new residents. Concerns regarding the connection of water, gas and electric supplies. Doctor and dentists already at capacity. Insufficient town centre car parking, Police and social services to deal with new residents. Schools in the town already at capacity. Telford has better infrastructure to accommodate new homes.

- Site is in floodplain and poorly drained/waterlogged. Development would decrease infiltration and increase run off causing further flooding on and off site. Foul water system downstream of the site is inadequate. Flooding from rising groundwater is also a concern.
- Concern over ground stability due to geological conditions.
- The site provides a green buffer between residential areas and industrial areas of the town. Concern that there will be conflict between the industrial areas and any new residents especially as some of the premises work 24 hours.
- Noise from A41 and industrial areas would be unacceptable to new residents.
- The proposals are on valuable 'greenfield' agricultural land. Location is a valuable green space/amenity land used by locals within the bypass.
- Loss of playing fields. Children's play area should be within development not on adjacent fields. Dog walkers would be forced to use playing pitches – conflict with users.
- Longer term space for cemetery expansion would be lost and part of the site should be set aside for this. Cemetery users would be affected by constructions works and by new residents.
- Concerns regarding the cumulative impact with other developments currently being proposed in Newport in particular proposed development to the south of Audley Avenue.
- Council would gain financially from the development and has a vested interest in approving the application.
- Impacts on wildlife and ecology habitats at the site. Protected newts on site.
- Site may contain features of archaeological interest.
- Concern that the development will be completed quicker than the applicant proposes.
- Negative impacts from construction phase and infrastructure provision.

Support:-

- More residents would be good for local retailers, businesses and services.
- Provision of high quality new build energy efficient housing is vital locally and nationally.
- The above views subject to infrastructure being put in place to accommodate the development and on site issues being overcome by the developer.

A noise report was received on behalf of the Morning Foods Limited, which has a grain store and grain cleaning facility at their Newport Silo Facility in Audley Avenue, Newport, directly opposite the proposed development. The company objects to the planning application in so far as residential development is proposed in close proximity to its site which could place additional constraints on its existing and planned operations.

The company is concerned that whereas its premises currently form part of an industrial estate separated from residential areas by open land and predominantly non-residential uses, the proposed development would bring residential properties

into very close proximity to its site and act as a constraint on its existing and planned operations.

Although the Environmental Statement submitted in support of the application includes some examination of the impact of the existing Morning Foods site, especially with regard to existing noise levels, it takes no account of the planning permission for the demolition and erection of new buildings to include new mess room, industrial unit and 2.5m high chain link fence approved on 20th January 1993 under reference DF/W92/0970. This permission has been implemented in part and remains extant as confirmed in the attached letter from the Local Planning Authority. It permits a substantial milling operation similar to that at the company's existing site at Gresty Road, Crewe.

The Noise Assessment submitted in support of the application has no regard to the potential increase in noise likely to arise from the implementation of the extant planning permission. An increase in noise is likely to arise from two principal sources. Firstly, the approved buildings contain air handling units and fans at a height of 27 meters above ground level. Mitigation measures such as earth bunds and acoustic fences would be ineffective against such a noise source. Secondly, the approved industrial operations would result in a significant increase in traffic using the entrances to the Morning Foods site in Audley Avenue. These entrances are directly opposite the proposed dwellings that are to face Audley Avenue

In addition to the potential for an increase in the level of noise from the Morning Foods site, there is also the potential for nuisance from tonal noise. This issue is not addressed in the Noise Assessment submitted with the application but nevertheless it is a major constraint on the proposed development and one that needs to be properly examined. In support of this position the applicant has included a noise report it commissioned in relation to a proposed residential development close to the Morning Foods site at Gresty, Crewe. Although no two sites are identical, the noise report demonstrates that tonal noise from a very similar operation to that approved at the Morning Foods site at Audley Avenue, Newport can cause serious problems of tonal noise. The report points out that it has considerable experience that this type of sound is one of the most common causes of environmental noise complaint where housing is placed in such close proximity to industrial development.

In addition consultants acting for Audley Avenue Business Parks, the owners of land with planning permission for employment use to the east have made two sets of submission, both on the original details submitted and after the various addendums to those reports.

Noting that the LPA recently approved new industrial estate on land directly adjoining the proposed residential scheme to the east (TWC/2011/0853), they point out that this consent allows the construction of 7 warehouse units to be used for B1 or B2.

The planning consent contains no restrictions and could operate 24 hours a day and be amalgamated to form one large B2 use, which by definition are not suitable uses for residential areas.

Their primary concern relates to the relationship between the industrial estate consented by TWC on their client's land and the proposed residential development proposed by St Modwen on TWC owned land. They do not oppose the principle of residential development on this land, but if housing is to be consented on the adjoining site, appropriate mitigation measures must be put in place by the applicant to ensure the two uses can be accommodated without causing problems or inconvenience for occupiers of either development in future.

Concerns relating to residential amenity with regard to the following:

- The consented industrial units immediately abut the eastern boundary of the application site. The indicative masterplan provided shows new residential units located approximately 8 metres from the consented industrial units, which are 8.8 metres in height (see attached Proposed Industrial Unit Elevation Plan). This relationship has implications for the outlook and daylight and sunlight levels for the proposed residential properties, and the risk of overshadowing. There is limited space for planting to screen the new buildings.
- The Halcrow Air Quality Assessment (September 2011) does not consider the impact on residential amenity from industrial processes that could take place on the consented industrial estate, such as smells, fumes, dust or grit etc.
- The potential impact of noise and disturbance on the occupiers of the adjacent housing must be appropriately assessed by the applicant, using a worst case scenario approach, and appropriate mitigation measures provided to minimise problems in the future. This includes appropriate separate distances between these conflicting uses. As currently proposed, the residential scheme is highly likely to generate complaints from future residents due to insufficient and ineffective mitigation measures. The risk of potential restrictions being attached to these units by TWC's environmental health team in the future will significantly affect the marketability of these industrial units, in what is already a very difficult economic market.
- The measures and recommendations in the applicants Noise Addendum are not sufficient to mitigate against a major B2 industrial use operating 24/7 on the site boundary. In our view, further consideration needs to be given to the layout of the proposed residential site. Based on the evidence provided by the applicant to date, we do not think it appropriate to locate new residential properties along the eastern boundary. The proximity of these properties to the consented industrial estate is likely to have a detrimental impact on the amenity of these residents. Class B2 uses are by definition not appropriate uses next to residential accommodation. Given this, we suggest that a buffer zone of public amenity space be required along this boundary to address the conflict in these two uses. This is a fundamental issue and should not be left to be dealt with by condition. Based on the evidence submitted to date, our view is that the industrial estate already consented could have a detrimental

impact of the amenity of the residential properties proposed immediately adjacent and the mitigation measure proposed at present are insufficient.

- Significant number of trees the subject of TPOs with at least 38 TPO trees and a further 30 not covered by TPO to be lost.
- There is a conflict with the requirements of paragraph 74 of the NPPF which seeks to resist the loss of existing sports and recreational space.

PLANNING CONSIDERATIONS:

Housing need and supply in the Newport area

Background to housing policy for Newport in the adopted Core Strategy

With regard to housing provision, Core Strategy Policy CS1 (Homes) states that *'Newport's local housing requirements will be met by approximately 60 new dwellings per annum'*. Core Strategy Policy CS6 (Newport) states that *'Development will be limited to that required to meet local needs, including those of its rural hinterland, and to support the town's regeneration. New housing development will be expected to deliver affordable housing to the level of 35% of all such development'*.

The Core Strategy for Telford and Wrekin covers a 10 year period from 2006 to 2016. In this respect the total number of houses envisaged to be provided over that period to meet Newport's needs is 600 (60 per annum x 10 years).

By way of background to the 60 new dwellings per annum figure in the Core Strategy the following commentary is relevant. When the Core Strategy was submitted for Examination in Public it pinpointed that the delivery of affordable housing was the critical determinant of the housing strategy proposed for Newport. The evidence to support such an approach was derived from documents such as the Housing Needs in Telford and Wrekin (2004) and its Summary Update (2005).

The housing needs analysis identified that 22 new affordable households per annum would be required in order to meet identified local needs. As such, an overall level of development of approximately 60 new dwellings per annum would be required, with an affordable housing contribution of 35% from new residential development to meet the identified need. It should be noted that this level of affordable housing would not address the existing backlog of affordable housing need in Newport, due in part to the fact that no new affordable homes had been provided in the period 2001 to 2005, beyond the provision of 14 closed care dwellings in 2005.

The preferred development option for Newport prepared by the Council for the Core Strategy Examination proposed a balanced provision of new dwellings. Delivery whilst marginally above the rate of new household formation was deemed to be both

realistic and have the potential to make a significant contribution towards meeting the identified need for affordable homes. The need for affordable housing in Newport was identified as the second highest in the Borough.

The Inspector's report following the Examination in Public endorsed the Council's approach regarding the quantum of housing to be delivered in Newport over the Core Strategy period (60/pa). The Inspector enhanced the policy wording with specific reference to the proportion of affordable housing required of new housing development at 35% in accordance with Policy CS6 (Newport) such was the importance of this aspect.

In relation to the major applications submitted in Newport over the last 14 months as outlined at the start of this report, the Housing Policy & Enabling Officer comments that since the Core Strategy was adopted in December 2007 an update of the Strategic Housing Market Assessment (SHMA) has been prepared by the Council in 2009. Along with other more recent evidence (collated from the Telford & Wrekin's Choice Based Lettings scheme, together with profiles of the existing affordable housing stock, the current housing market and the population of Newport) the SHMA supports the continued need for a high level of affordable housing provision in Newport and shows that this need has in fact increased over the last decade. The rise in property prices, together with consistently low incomes and difficulty in obtaining mortgages even when house prices have fallen has led to the current situation where local people, particularly young couples and families, have left the town to find accommodation elsewhere or remain in overcrowded and unsuitable accommodation. There are also many older people who need alternative accommodation.

In particular the SHMA, updated in 2009, now shows that 124 affordable dwellings are required each year over a twenty year period to meet the needs of Newport residents. This is considerably higher than the 22 affordable dwelling need shown in the 2005 Housing Needs Summary Update and takes into account the lack of suitable existing provision and the backlog of need.

It was clear through the Core Strategy process that 35% affordable housing provision would only address a proportion of the affordable housing need in Newport. In reality, in order to meet the backlog of affordable need in Newport as well as newly arising need, a greater percentage would have been required. It is also clear from the 2009 SHMA that since the Core Strategy evidence base was produced, the need has increased and the affordable housing shortfall has worsened. It is therefore essential to achieve 35% on each of the Newport proposals in order to help meet identified needs and enable local households to remain in the area. In this regard Plans Board has only agreed to the applications at Wellington Road (TWC/2011/081) and Maynards Croft (TWC/2012/0211) being permitted on the basis both provided 35% affordable housing.

Expectation of greenfield development in Newport

Objections to this application raise the availability of brownfield provision within Newport and the associated desirability of building on such sites in preference to a large greenfield site. The general preference in favour of brownfield development over previous years is acknowledged and is still encouraged in the Core planning principles of the National Planning Policy Framework. Indeed the delivery of housing during recent years has largely been on brownfield sites in Newport.

The Inspector presiding over the Examination of the Core Strategy considered a range of housing delivery options for Newport including concentrating development on previously developed land within the current built up area which equated to approximately 25 dwellings per annum. Whilst this option provided a number of advantages including the use of brownfield and under utilised sites, a number of disadvantages were identified. These being that it “*would not achieve the necessary levels of affordable housing, since urban sites would commonly fall below the threshold size for affordable provision*” (para 3.47). As will be highlighted in this report, monitoring over the first 5 years of the Core Strategy has indicated that this has appeared to be the case.

It was also noted by the Inspector that: “*Moreover, if focussed on the town centre, pressure for housing could displace other uses and thus diminish rather than support the role of Newport as a market town.*” (para 3.47). Furthermore, remediation costs associated with the redevelopment of brownfield sites are often cited by developers in justifying a lower level of affordable housing on the basis of the effect a higher level has on viability.

The Inspector acknowledged the option of 60 dwellings per annum would ultimately entail extensive use of greenfield sites in Newport and this was quantified as being “*the most likely to achieve the required level of affordable housing.*” (para 3.47). Furthermore, the Inspector highlighted that because Newport is not as well-provided with brownfield opportunities as Telford that “*a higher proportion of greenfield development may be unavoidable if the proposed dwelling numbers are to be achieved in Newport.*” (para 3.49).

It is therefore concluded from the above paragraphs, as well as further evidence regarding the delivery of affordable houses over the last 5 years (as to be described below), that there are sound planning reasons why greenfield sites need to be used for residential development in and around Newport.

Delivery of housing and affordable housing in Newport to date

In considering the determination of the large scale planning applications submitted in Newport, including this one, it is necessary to establish what residential development has already taken place and is committed, as this will assist in gauging housing need

in Newport.

Data recorded as part of the Annual Monitoring Report (AMR) prepared by the Council represents the key source of information as to the number of dwellings built, as well as what is likely to be built through permissions granted or in the process of being granted. Application of the Core Strategy policy of 60 additional dwellings per annum commenced in 2006, setting a target of 360 additional new dwellings to 31st March 2012. Headline figures from the AMR work for the years between 1st April 2006 and 31st March 2012 (6 years) are set out below. It should be noted that the figures for included for the 2011-12 year are internal calculations and have not been formally published yet by the Council as the AMR for this reporting year is not due to be finalised until December 2012.

- A total of 252 dwellings have been completed against the aggregated target of 360.
- Houses under construction during the 2011-12 monitoring period totalled 12 dwellings.
- The number of dwellings where permission had been granted but work had not been started was 58.
- Dwellings granted permission between 1st April 2012 and 30th June 2012 was 30.
- Planning applications where the Council has made a resolution to grant permission would provide a further 61 dwellings upon the grant of consent.

The figures described above are incorporated into Table 1 below and shown against the aggregated requirement of 600 houses for Newport for the period covering the Core Strategy (2006 - 2016). Table 1 - Monitoring of housing completions and commitments in relation to Telford and Wrekin core Strategy Policy CS1 (Homes) in relation to Newport.

Table 1 Monitoring of housing completions and commitments in relation to Telford and Wrekin Core Strategy Policy CS1 (Homes) in relation to Newport.

Monitoring of housing in Newport area	Dwellings	Brownfield	Greenfield	Outstanding requirement 2006-2016 CS1 Homes – 600 dws (60 dws per annum for Newport)	Affordable provision		
					Total provision	Brownfield	Greenfield
a) Completions 2006-2012	252	94%	6%	108 (360–252)1108	35 (14%)	35	0
b) Under construction 2011-12	12	83%	17%		0 (0%)	0	0
c) Dwellings with permission not started	58	90%	10%		0 (0%)	0	0
Sub-total	322	93%	7%	278 (600 - 322)	35 (10.5%)	35	0
d) dwellings receiving planning permission 1 st April – 30 th June 2012.	30	0%	100%		15 (50%)	0	15
Sub-total	352	87%	13%	248 (600 – 352)	50 (14%)	35	15
e) where there is currently a resolution to grant consent	61	100%	0%		9 (15%)	9	0

Built and committed Total	413	89%	11%	187 (600 – 413)	59 (14%)	44	15
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Table 1 highlights that for the 2006 - 2012 monitoring years there is a shortfall of 108 completed dwellings (252 minus 360) against the aggregated target of 360 (60pa X 6 years). Rolling forward the aggregated target of 600 dwellings for the 10 year period of the Core Strategy (2006 - 2016) and taking into account dwellings under construction, dwellings permitted and where there is a resolution to granted consent; there is an outstanding requirement for a further 187 dwellings. Table 1 also highlights how the majority of housing completed or to be built are brownfield sites with 89% of dwellings being on this type of land.

With regard to the delivery of affordable housing since 2006, the right hand side of the above table shows how many affordable houses have been or are likely to be secured as a result of dwellings built or to be built through Section 106 obligations. This shows that the delivery of affordable housing (14%) is significantly below the Core Strategy target of 35% in policy CS6 (Newport). This indicates a correlation between a low level of affordable housing and the high level of development on brownfield sites (89%). This bears out the thoughts of the Inspector for the Core Strategy as referred to above regarding the disadvantage of relying on the use of brownfield sites, as well as, the view that extensive greenfield developments were the most likely to achieve the required level of affordable housing required.

However, since this Table 1 was produced Plans Board has made a resolution to grant up to 285 dwellings at Wellington Road and a further 35 dwellings at Maynards Croft in Newport. In theory it could be argued that there is no need for any further housing to be granted permission because the outstanding requirement of 187 dwellings to the end of the Core Strategy period of 2016 has been provided for and instead there are 133 more dwellings permitted (187 minus 285, minus 35) taking into account dwellings under construction, dwellings permitted and where there is a resolution to granted consent as identified in Table 1. Yet there are other factors to be considered with regard to the actual delivery of dwellings on the ground and also looking at housing needs beyond 2016 in the context of the Council's new Local Plan. These factors are considered in the following sections of this report.

Housing delivery and trajectory

As highlighted above, monitoring data shows a shortfall of completed dwellings against the aggregated target to 2012. In short there has been a serious under delivery of housing in Newport between 2006 – 2012 both in terms of number of dwellings completed and permitted but, even more importantly, in relation to the delivery of affordable dwellings.

In relation to the 187 dwellings that required consent in order to meet the aggregated figure of 600 houses to 2016, as described above this figure could be more than met in quantitative terms by the permissions pending approval at Wellington Road and Maynards Croft. However, the granting of these two permissions is unlikely to result in the delivery all of those houses prior to 2016. The smaller Maynards Croft proposals could be built out in the next couple of years. However, in the case of Wellington Road, the applicant estimates that following any outline permission being granted, the build out of the site to completion would take approximately 9 years, taking delivery well beyond the end of the Core Strategy period (2016). This is based on the applicants estimation that the first dwellings could be delivered on site by mid 2013 (having successfully secured Reserved Matters consent and preparing the site) with annual build rates of approximately 30 units per annum, subject to market conditions. A trajectory showing the delivery of housing including the Wellington Road and Maynards Croft sites (in addition to sites under construction and permitted) in relation to the current shortfall and a continuation of the 60 dwellings per annum figure is shown as Table 2 to this report (see end of report).

Table 2 shows that granting consent for Wellington Road and Maynards Croft alone are not sufficient in making up the shortfall in provision to date as well as ensuring the delivery of the housing figures to 2016 by that date because of the time required to build out these proposed developments

Similarly to the Wellington Road application the build out rates provided by the applicants for the Audley Avenue proposals go beyond 2016. In the case of Audley Avenue this is envisaged as being completed by 2019.

In accepting that more than just the Wellington Road and Maynards Croft applications need to be granted consent in order to make up the shortfall in provision to date as well as ensuring the delivery of the housing figures to 2016, it is necessary to consider the cumulative effect on delivery of the Audley Avenue proposals under consideration.

This is shown in the attached housing trajectory (Table 3 at end of report) which shows over a number of years the delivery of sites already permitted or resolved to be permitted together with Wellington Road, Maynards Croft and Audley Avenue proposals in light of the anticipated build out rates of each of these applications. This is set against the annual 60 dwellings per annum requirement set out in Core Strategy Policy CS1(Homes).

Table 3 shows how together the sites coming forward at one time have the benefit of jointly making up the shortfall in provision to date as well as ensuring the delivery of the housing figures to 2016 by that date. Whilst this significantly increases building rates in Newport than seen in recent years, there is clear justification to allow this to ensure the provision and acceleration of housing delivery in line with the Core

Strategy. A number of sites would increase choice for consumers and competition between house builders and minimise risks associated with a single site being mothballed or landbanked by a builder.

Allowing a number of separate sites would result in a higher intensity of house building over a number of years, particularly during the years between 2013 and 2019. The trajectory estimates that this will peak at 119 units per year during 2015 - 2016 and this is considerably higher than recent years where under delivery has occurred. However, past monitoring rates that the Council has recorded indicates that between 1992 and 1997 a total of 534 houses were built at an average of 89 per annum with one particular year (1994) seeing 141 completed dwellings in Newport and so such an increase in the building rate quantum has been experienced in the past and therefore feasible.

Housing trajectory beyond the end of the Core Strategy period (2016)

Another consequence of permitting a number of separate sites is that the total number of houses involved is greater than needed to meet the current shortfall in delivery and to the end of the current Core Strategy period. It is therefore necessary to consider the post 2016 housing situation in relation to the applications under consideration, when the Core Strategy period comes to an end.

Work is underway within the Council to put a new Local Plan in place over the next 2 years and the Council is referring to this plan as "Shaping Places". It is proposed this plan will set out the spatial development vision, objectives and strategy for the T&W Council area, with borough-wide policies for different forms of development and key site proposals.

In setting out where new homes, jobs and green spaces are to be located and how areas across the Borough should develop to meet the needs of residents, employees and visitors up to 2030, the Shaping Places plan will need to take account of any significant planning permissions in place.

Preparation of a new Local Plan is not normally a reason to delay consideration of planning applications. Whilst "prematurity" can be a material planning consideration, government guidelines and case law indicate that this should not be viewed as such, unless relevant plans are very close to completion, in particular where they are submitted for examination; this is the case with the Shaping Places plan as it is at the earliest stage of development.

With regard to the Core Strategy, the overriding reason identified by the Inspector for reducing the plan period of the Core Strategy from 2021 to 2016 related to the capacity of the Strategy to provide adequately, and with the necessary flexibility, for new housing development. The principal issues behind this step relate to Telford

centric issues – in the form of the ability of the Strategy to provide ‘flexibility’ for the highest growth levels proposed in the then emerging Regional Spatial Strategy (a Telford led issue); and also the requirement for a review of green space with specific reference to the Green Network (again a Telford led issue). There was however, an element of reasoning cited by the Inspector towards Newport:

“The recommended reduction in the timespan of the Core Strategy to 2016 would enable the basis of the housing strategy in Newport and the rural areas to be reviewed in line with its success in the early years, and to be strengthened, or otherwise amended, if necessary. But the change [explicit requirement 35% affordable housing in Newport] is necessary from the outset.” Also that *“The recommended reduction in the timespan of the Core Strategy to 2016 would allow an early review to include relevant policy on the basis of the forthcoming Strategic Housing Market Assessment together with the results of monitoring of housing development in the early part of the plan period.”*

Taking forward the Inspector’s line in reviewing the position for affordable housing, it is clear from Table 1 above that delivery in the early years has not been strong – there is both a shortfall in the achievement of 60 dwellings per annum, and fundamentally, a significant shortfall in the required level of affordable housing. In preparing housing needs evidence further to the 2005 Housing Needs Survey Update, the Strategic Housing Market Assessment (SHMA) 2009 update derived a level of affordable housing need in Newport far higher than the earlier evidence, in part reflecting inclusion of backlog need (quantified as 124 affordable dwellings requirement per annum).

At this stage, the local planning authority is not in a position of identifying a revised policy position on the basis of revised evidence of need in the form of the 2009 SHMA (this evidence needs to be revised to account for forthcoming updated population projections). The mix of up to date quantitative and qualitative evidence provided by the Housing Policy & Enabling Officer does however identify that the level of need for affordable housing in Newport remains high, and indeed has been exacerbated by failure to deliver further provision at the level (35%) required by Policy CS6 (Newport).

The need for the provision of 35% affordable housing is paramount. In the absence of a readily available evidenced alternative strategy for Newport, continuation of this target level of development defined by CS1 (Homes) as requiring 60 dwelling per annum is deemed to be the most appropriate option in order to deliver anywhere near the level of affordable housing required locally.

In accepting that the continuation of the target level of development defined by CS1 (Homes) beyond the end of the current Core Strategy can be considered appropriate, the housing trajectory in Table 3 shows how the 60 dwellings per annum

aggregates beyond 2016. Table 3 also highlights the homes that could be delivered by the Audley Avenue proposals in addition to those at Maynards Croft and Wellington Road as they would be built out over a number of years. This indicates that by 2021 the number of dwellings being sought by the various permissions would equate to the level of housing of the 60 dwellings per annum by that date.

Conclusion in relation to housing need and supply

The delivery of affordable housing is a fundamental determinant of the development strategy for Newport in the adopted Core Strategy. Monitoring data since adoption has demonstrated that developments both completed and committed proposals have failed to date to deliver the required number of dwellings and level of affordable housing required by policies CS1(Homes) and CS6(Newport) respectively. The development proposed would help address both of these deficits. When reflecting on the Inspector's judgment regarding the disadvantages of brownfield sites and that large greenfield sites would be required to deliver the level of provision envisaged by the Core Strategy then greenfield sites such as Audley Avenue are acceptable and necessary to help ensure delivery of the housing needs for Newport.

Although the recent Plans Board resolutions to grant housing proposals at Maynards Croft and Wellington Road increase the supply of housing, the number of dwellings permitted would not meet the housing shortfall and Core Strategy target to 2016 because of lead in times and build out rates that would extend beyond 2016 as highlighted in Table 2. There is a need therefore for extra dwellings to deliver the shortfall and Core Strategy target by 2016 that can be met by this proposal.

Given the number of dwellings being applied for at Maynards Croft, Wellington Road and Audley Avenue, the total number of dwellings if granted by the Council would go beyond that required by the current Core Strategy period of 2016. The trajectory in Table 3 shows that by 2021 the number of dwellings being sought by the various permissions would equate to the level of housing of the 60 dwellings per annum by that date.

However, with development of the Council's new Local Plan (Shaping Places) in its infancy there are no grounds to consider this or other applications before the Council in relation to prematurity with an emerging Plan. The local planning authority is not yet in a position to identify a revised policy position as the basis of revised evidence, in the form of the 2009 Strategic Housing Market Assessment, needs to be adjusted to account for forthcoming updated population projections.

The Core Strategy as submitted for Examination evidenced the housing needs for Newport to 2021 before the time period was reduced to 2016 by the Inspector, predominately on the basis of Telford centric issues. With regard to the Inspectors reference to monitoring, this has revealed under delivery in dwelling numbers and affordable housing provision which the applications under consideration could

address. The 2009 update to the Strategic Housing Market Assessment has revealed an increased need for affordable housing.

In light of the above, it is considered that the continuation of the target level of 60 dwellings per year for Newport defined by CS1 (Homes) beyond the end of the current Core Strategy can be considered appropriate in helping meet the affordable housing needs in Newport with a realistic chance of delivery in current market conditions.

The trajectory in Table 3 shows how the 60 dwellings per annum aggregates beyond 2016 together with a trajectory of the homes that could be delivered including Audley Avenue as they are built out over a number of years. This indicates that by 2021 the number of dwellings being sought by the various applications would equate to the aggregated level of housing at 60 dwellings per annum by that date.

The one proviso is that for the sites under consideration with the Council should deliver 35% affordable housing as the justification for the continuation of a 60 dwellings per annum approach is far less justifiable, reasonable and evidenced. Without such commitment any consents issued could preclude other sites in Newport coming forward (either by applications or through the adoption of the Shaping Places document) that may be able to provide such a level of affordable housing and be acceptable in planning terms regarding other matters.

The Council's Housing Policy & Enabling Officer has highlighted the greatest need is for three-bedroom social rented houses, with a smaller number of two and four-bedroom houses. There is also an identified need for two-bedroom bungalows and for a small amount of wheelchair standard provision for all household types and sizes. This mix can be secured through a Section 106 agreement.

In securing such a level of affordable housing it is appropriate that any Section 106 agreement includes some flexibility on the delivery of house types, sizes and tenures to reflect the need for affordable housing in Newport over the lifetime of the development given that this may change. Therefore, the provision of 35% of affordable housing could either be in number or value (to allow for the inclusion of more expensive specialised affordable housing where required);

Of the total provision, the Housing Policy and Enabling Officer has suggested 80% to be Rented Social Housing dwellings and the remaining 20% in Shared Ownership unless otherwise agreed with the Council. Receipts from the disposal of any Shared Ownership dwellings to be recycled and used for the provision of further affordable housing.

Other measures to secure the most appropriate provision would include the need for affordable housing to be provided throughout the development and not left to the

latter stages and also that the houses are delivered in small clusters. In order to match provision to local need a mechanism to ensure lettings are prioritised to Newport area based residents should also be agreed.

It is considered that the above position is consistent with the National Planning Policy Framework which outlines what Local Planning Authorities should do *'To boost significantly the supply of housing'* (paragraph 47). The NPPF also states that *"Housing applications should be considered in the context of the presumption in favour of sustainable development."* (paragraph 49).

With regard the three dimensions of sustainable development that give rise to the need for the planning system to perform a number of roles, one of the dimensions is a social role. This is defined as follows:

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

Furthermore, it is considered that the proposed development accords with one of the NPPF's Core planning principles that the planning system ought to play, this being:

'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities'

Also with regard to the NPPF, the proposed range of housing size, type and tenure in the application would contribute to the creation of sustainable, inclusive and mixed communities advocated in paragraph 50.

Whilst this application is made in outline the parameters defining the density of the development and the maximum height of the dwellings (2½ storeys) are considered appropriate in the context of Newport and this particular location.

Other issues raised with regard to housing delivery.

In October 2011 the Plans Board agreed a resolution to grant permission in the east of Newport for a continuing care retirement community of some 209 units (planning application ref W2008/0934). The resolution is subject to conditions and the signing of a Section 106 agreement and it is understood that the signing of this is imminent.

Representations received in relation to the application subject of this report have argued that the units accounted for in the care development should count against the housing target for Newport. It has also been argued that the care development would free up further housing in Newport for re-letting or sale by local residents who would might move to the care development should it be built.

With respect to the first point, in the determination of the continuing care application it was accepted by the Council that the proposals could be defined as a 'residential institution' under the Use Classes Order 1987 (as amended) as opposed to ordinary 'dwelling houses'. Because of the classification as residential institution the Council was unable to secure any affordable housing provision - with such provision forming the basis of the Core Strategy housing figures for Newport. As a safeguard to ensure the development does not in effect become dwelling houses, the applicant is to enter into a Section 106 agreement to limit the occupants of the proposed units to at least one member of the household being over 65 and in need of care.

With regard to the second point, in relation local residents moving into the care community development and freeing up housing for let or sale, there are no planned restrictions on the occupancy of those who would buy into the facility if permitted and built. Therefore, as the development could attract residents from a wider area than Newport it is not possible to accurately quantify what amount of housing might in Newport become available for sale or let from the existing local population and when this would occur. In any event any released housing would not be affordable and would be bought and let at market rates.

Because of the factors described it is not considered that the units created by the care development should count towards the housing target for Newport.

Principle of housing development in this particular location.

Location of part of the site being within the existing built up area of Newport but designated as Open Land within Newport.

Approximately a fifth of the site (2.6 hectares) comprising the area last used as playing fields is located within the built up area around Newport as defined in the adopted Proposals Map (originating from the Wrekin Local Plan (WLP)). This area is designated within the same Plan as being covered by Policy OL6 - Open Land in Newport along with the adjacent Shukers Field playing area. Policy OL6 states the Council will protect such land in this case as it has value as a recreational space. The loss of such land in is principle contrary to Policy OL6.

The loss of the pitches to the proposed development is an issue in its own right and is discussed in detail later in this report. It is noted that the pitches are in private ownership and have not been used since May 2011. The owner of the site is under no obligation to reuse this area as sports pitches or to allow public access in any

form.

In the context of Policy OL6, the mitigation provisions put forward by the applicant in respect of the loss of the pitches are relevant. These include the transfer of other private land used as pitches at Shukers Fields into public ownership as well as significant improvements to Shukers Fields in public ownership in the form improved drainage and levelling of the pitches to maximise the layout of the site together with funding towards the refurbishment of the changing rooms; provision of a storage facility, extension/reorganisation of the existing car park, ball stop fencing around specified perimeter locations; provision of shutters on the existing dug-outs. Shukers Fields are also covered by included in the Open Land designation of Policy OL6 so these measures will improve these areas and guarantee greater public access.

Furthermore, the mitigation details set out proposals to for a new pitch to be created and transferred into public ownership to the south east of existing pitches at Burton Borough School. This would create a new area of open space within Newport with public accessibility that would be capable of protection in the future if there is a review of land to be designated for such a use. On balance the mitigation provisions described above are considered adequate to account for the loss of the 2.6 hectares of land designated as Open Space in the Wrekin Local Plan.

Core Strategy Policy 11 – Open Space states that development on Open Space will only be permitted if it can be demonstrated that there will be significant and environmental benefits delivered by the proposal.

As well as the community benefits associated with mitigation measure discussed above, the proposals also include provision of an area of land as an extension to the existing allotments off Meadow View Road. Landscaping and the balancing pond for the surface water feature offer scope for environmental benefits. As a result it is concluded that the requirements of CS11 are also satisfied.

Location of part of the site being outside of the existing built up area of Newport.

The remaining four fifths of the site in agricultural use between the area last used as playing fields and up to the bypass and Meadow View Road, is outside of the built up area around Newport as defined in the adopted Proposals Map (originating from the Wrekin Local Plan (WLP)).

Although the adopted Core Strategy provides a Key Diagram, the Core Strategy is not yet accompanied by a spatial plan that identifies how the development strategy is to be accommodated. Whilst policy CS6 (Newport) recognises the function and role of Newport where future development should be concentrated, it neither allocates land for development nor establishes the extent of any revised settlement boundary to accommodate future growth beyond 2006 as shown on the WLP Proposals Map.

In this respect the boundary of the built up area as shown on the WLP Proposals Map is out-of-date. The National Planning Policy Framework states at paragraph 14 that in such circumstances development proposals should be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This accords with the wider presumption in favour of sustainable development advocated in paragraph 14. Taking into account the policies in the Framework and the policies subsequently adopted in the form of Core Strategy Policies CS1 (Homes) and CS6 (Newport), the benefits outweigh any adverse impact of developing beyond the built up defined in the WLP Proposals Map.

The Council did start work on preparing a spatial plan and published the Land Allocations Preferred Options Report DPD in September 2005. This version of the DPD included the Audley Avenue site as an allocated site and reference was made to the DPD and Audley Avenue site in the Inspector's Report in relation to the Core Strategy. Final progress towards Submission of the Land Allocations DPD stalled as the Council concentrated its efforts to secure adoption of its Core Strategy and later on preparing an Action Plan for the Central Telford Area. Whilst the allocation in the Preferred Options Report DPD indicated that the Council viewed the Audley Avenue as being acceptable for residential development, this is considered to hold little weight on its own due to the fact that work DPD has stalled and the time that has elapsed prior to the submission of this application.

In the absence of a spatial plan which allocates land uses for the Core Strategy, it is inappropriate to conclude that development conflicts with Core Strategy Policy CS7 (Rural Area). Policy CS7 specifically seeks to limit development to meet the needs of the Rural Areas (as opposed to Newport) and focus development on three named villages outside of which development in the open countryside will be strictly controlled. This policy should not be used to prevent development that is necessary to accommodate the growth of Newport, particularly where this would be consistent with Policy CS6.

To reinforce the view that sites outside of the built up area as shown on the WLP Proposals Map can be considered appropriate, it is noted that the WLP Proposals Map identified two sites for future residential development. Both sites have since been developed and there remain only a limited number of small sites that could be developed within the built up area, with most being brownfield in nature.

As discussed above brownfield sites are limited in the number of houses such sites can deliver and have historically resulted in a lower level of affordable housing. Many of the brownfield sites are in alternative uses which may be more appropriate to other forms of development and there is limited certainty that they will come forward and be granted permission in any event.

With regard to the Core Strategy, policy CS6 specifically refers to development also meeting the needs of Newport's rural hinterland as well as needs of the town itself. Furthermore, the Inspector's Report into the Core Strategy acknowledges that Newport is not as well provided with brownfield opportunities (within the built up area) as Telford and a higher proportion of greenfield development may be unavoidable if the proposed number of dwellings (and required level of affordable houses) advocated in policy CS1 (and policy CS6) are to be achieved.

Therefore, in light of the material considerations outlined in the paragraphs above and previous acceptance that there is a clear housing need in Newport to meet the requirements for the Core Strategy policy CS1 (Homes) up to and beyond the current plan period, the principle of whether a housing development in this location is accepted on policy grounds.

Landscape capacity and sensitivity.

With regard to the landscape sensitivity and capacity of the application site, reference to the Telford and Wrekin Council Landscape Sensitivity and Capacity Study published in 2009 is the most relevant starting point for consideration of this issue. This study aimed to assess the sensitivity of the landscape for defined areas around Telford, Newport and other settlements in the Borough. It then sought to determine the capacity of the landscape to accommodate housing development and to identify those landscapes that should be protected from development. The study identifies the site subject of this application in two parts.

The first being the area of playing pitches off Audley Road (ref TWNe3 -92) as having medium to low landscape sensitivity and a high to medium capacity to accommodate housing.

The landscape sensitivity assessment justification is identified as follows: *These private playing fields with run down facilities lie on flat land fronting a commercial development and with industry to the south east. The boundary with the cemetery is well treed and the northern boundary is Lombardy poplars. The area is not widely visible due to the enclosure although the bypass is audible. The cemetery is well maintained and relatively enclosed. Despite adjacent industry it appears quiet apart from occasional large lorries. The road to the south has been modified to prevent commercial and residential/cemetery traffic mixing.*

In terms of accommodating housing development, the following statement is made in the assessment: The area has some capacity for housing as it is enclosed and not widely visible. Issues relate to the setting of the cemetery, so users do not feel housing intrudes.

The second area covers the remainder of the site between the pitches and Meadow View Drive and the A41 bypass (ref TWNe3 – 96) that is identified as having medium

to low landscape sensitivity and a high to medium capacity to accommodate housing.

The landscape sensitivity assessment justification is identified as follows: *These flat low lying pastures are contained by outgrown hedgerows with trees, some of which are fine specimens [oaks]. They are bounded to the north by well used allotments who enjoy views over them and to the south by the cemetery which also has some views albeit mitigated to an extent by trees. Houses are set back to the east apart from the north western corner. The fields about the A41 to the north east which reduces the area's tranquillity.*

In terms of accommodating housing development, the following statement is made in the assessment: *Because of its enclosure and limited effect on views, the area has capacity for housing provided views from the cemetery are dealt with by strong mitigation and large buffer to the south west. The hedgerow trees should be retained where possible, especially the large specimens which should be protected. A green corridor should be retained linking the allotments to open space to the south west and south east [3-94].*

With both parts of the site having medium to low landscape sensitivity and a high to medium capacity to accommodate housing, the proposals in this application are not at odds with landscape sensitivity assessment and would appear to be acceptable in broad landscape terms.

Sustainability of location.

In respect of the site's physical location, the site is located approximately 1.2km from Newport town centre making it within walking distance of local amenities. A number of Schools including Burton Borough Secondary School are in close proximity to the site. Audley Road has direct access to the bypass so is well connected to the wider area. In terms of public transport, there is a bus stop within 400 metres and is located on Barnmeadow Road. A Wrekin Connect local service (17) calls at this stop. The service provides four services per day to Newport Town Centre and north east Newport. As discussed in the section below public transport links may be enhanced along Audley Avenue in conjunction with other developments.

The Agricultural Land Classification of the site is a mixture Grade 2 (57%) and Sub-grade 3a (43%). These are grades of land that surrounds a large part of Newport and therefore it is very likely that greenfield developments in and around Newport would have to be built on such land. Another consideration is that the land is isolated from the wider countryside by surrounding development and the A41 bypass.

In this respect as a greenfield site on the edge of Newport the application site is considered to represent a sustainable location.

In conclusion, although part of the site is designated Open Space in the saved policies of the Wrekin Local Plan and the remainder being outside of the built up area, the principle of the development in this location is acceptable on policy grounds given the other material considerations outlined. The site has been assessed as having medium to low landscape sensitivity and a high to medium capacity to accommodate housing. As a greenfield site on the edge of Newport, the application site is considered to represent a sustainable location given its location to the town centre and proximity to services. Access to public transport is within walking distance of the site and may be enhanced closer to the site as part of a package of improvements associated with a number of proposals in Newport.

Highway and traffic issues.

The sole vehicular access in and out of the proposed site is from Audley Avenue. Audley Avenue extends from the A518 in the south to the Town Centre in the north. A bus gate is situated on Audley Avenue which restricts access from Audley Avenue to the Town Centre. There are no proposals as part of this application to relocate the bus gate on Audley Avenue, or to open the route up to through traffic. Access to the wider highway network is therefore provided by the existing A518/Audley Avenue junction two roundabouts on the A518 connect the site with Newport and the wider area.

Pedestrian access to the site can be gained along Audley Avenue along the southern boundary and via the Meadow View Road link to the adjacent playing fields to the north of the site. Audley Avenue is located approximately 1.2km from Newport town centre making it within walking distance of local amenities. Many of which, including Burton Borough Secondary School, Newport CE Junior School on Avenue Road and Newport Infant School on Granville Road are within 800metres (11 minute walk time). Footways are generally wide and in good condition on the northern end of Audley Avenue, the presence of a bus gate restricting traffic from using the road to access the town means that the road is quiet and generally car free, making it a safe environment for pedestrians and cyclists.

There are two bus stops located within 400m of the site. One of these bus stops is located on Audley Avenue, however this is only served by school buses calling at Burton Borough School only. The other nearby bus stop is located on Barnmeadow Road. A Wrekin Connect local service (17) calls at this stop. The service provides four services per day to Newport Town Centre and north east Newport. There are a number of other bus stops located slightly further away from the site, on Avenue Road, Granville Road and High Street. These stops, in addition to the Newport Bus Interchange located approximately 1km from the development site, provide access to other local services (18 and 19) and regional services (481 and 519).

Representations received have raised the following Highway concerns: increased congestion on Audley Avenue and on junction of A41/A518 bypass; lack of connectivity for cars between site and town centre will mean any new residents would be isolated from the town; highway safety increase in vehicles from the site would increase danger to pedestrians and school children; increase in pollution and emissions from cars owned by residents of proposed development; and limited public transport serving the site.

In response to the application and the supporting Transport Assessment, the Council's Highways Engineers have not raised any objection. However, there are concerns that there would be a cumulative impact on the local highway network should all the major developments currently under consideration in Newport receive planning consent and that this would be such as to cause capacity and safety issues on parts of the strategic highway network.

In light of this the Highway Authority has carried out an assessment of the cumulative impact, based on the background counts carried out in support of the developments and on the distribution of development trips put forward by each highway consultant for their respective developments.

Plans have been produced that indicate the scale of works necessary to accommodate all the developments and this involves junction capacity improvements to certain parts of the A518 and A41 bypass and the widening/dualling of the A518 carriageway between Station Road and the A41. The works have been costed and the cost to each development has been apportioned based on the level of impact derived from the trip distributions.

These monies would be secured through a suitably worded Section 106 agreement with the works delivered at appropriate trigger points based on phasing of development. In terms of this application the proportional impact will require a contribution of £314,072 towards these works.

The site does not currently have the benefit of any direct access to any public transport. However, the development proposals currently being promoted on adjoining land will require enhancements to the public transport provision and the associated infrastructure and this site would benefit from this. This would encourage sustainable travel around the town and would provide linkages between residential, retail and employment areas.

In conjunction with other developments it is felt that the level of local bus service provision in Newport could and should be enhanced along with the associated infrastructure by the pooling of contributions. This would encourage sustainable travel around the town and would provide linkages between residential, retail and employment areas.

The total level of development proposed will take a number of years to completely build out. To ensure the enhanced services are still running at that time it is proposed to pool all the bus subsidies between the major developments.

The development will need to provide a subsidy of £120,000 towards bus services. Infrastructure such as bus shelters and bus boarder kerbs will be additional to this with £10,000 towards this being suggested on the basis of two stops on Audley Avenue. The Passenger Transport Team would procure the service and would agree the timetable.

Details on when such monies would be provided to the Council can be agreed and incorporated into a Section 106 to reflect the need for a balance between the need for funds to deliver the necessary highways related infrastructure and to help developers with cash flow in delivering a viable scheme. As with other highway based contributions, the Council would expect the agreed sums to be subject to indexation to ensure future value is not eroded by inflation.

A planning condition to develop the Travel Plan submitted for the development would also be required to be submitted and approved in writing by the Local Planning Authority. There would be also be a requirement towards Travel Plan monitoring of £5,000.

The contributions highlighted above and those in respect of the off site highways works have been calculated as part of a pooled figure reflecting the proportional impact from this development in relation to the cumulative impact of the large applications with the Council for determination. As such they represent a maximum figure that would be required. In the event that some or all of the other applications are not approved or implemented within a certain timeframe, it would be appropriate and fair to allow for a review of the contributions to establish what contributions would then be required at that time and if necessary allow for a refund for some or all of the contributions. Should this application be the only application to be granted and implemented within this timescale, the contributions to which such a review would apply to would relate to off site highway works, the subsidy to bus services and the bus shelters. Contributions in respect of Travel Plan monitoring would not be subject to the review as they are site specific.

Highways officers suggest standard highways related conditions be attached to any permission granted. It is therefore concluded that despite the concerns being raised there are no reasons for refusal on highways based grounds provided Section 106 contributions and conditions are applied to any consent granted at Audley Avenue.

Surface and foul water drainage and groundwater

The applicant has submitted a site specific Flood Risk Assessment (FRA) as part of the application in accordance with national requirements. The assessment considers the potential for flooding from all possible sources – fluvial, surface run-off, overland flows, groundwater, sewers and man-made infrastructure.

As with any new development there is a need for positive drainage in order to accommodate and discharge surface water run-off. The site is Greenfield and currently drains via a series of ditches following the field patterns to a soakaway system at the north eastern corner of the site that discharges to an adjacent watercourse. With respect to this application the proposed strategy is to install a surface water balancing pond in the north eastern part of the site. The pond is designed to balance and restrict surface water flows from the site such that they will not exceed the Greenfield (pre-development) surface run-off rate. Water from the pond will be discharged at a controlled rate to a small watercourse to the east of the site. The pond has also been designed for a 30% increase in future rainfall events in order to allow for climate change, therefore providing a betterment to the current situation and protecting the development and neighbouring properties. Such an approach is supported by Severn Trent Water as this would reduce the demand on the existing sewerage network capacity, minimising the level of additional capacity that is required. In response to the surface run-off drainage details provided, neither the Council's Drainage Engineer nor the Environment Agency object to the development subject to the imposition of conditions.

In relation to foul water disposal, flows would drain by gravity to a pumping station located to the east of the proposed housing. A pumping station would then discharge flows via a rising main to the public foul sewer system in Audley Avenue MH Ref. SJ75186502, which has been agreed with Severn Trent Water. The public sewerage network within Newport is primarily split into two sewerage sub-catchments: one to the north west and one to the south east as shown on plan at the end of the report. The site subject to this application drains to the north west. Unlike the south east catchment, Severn Trent has not highlighted any sewer capacity issues in the part of the catchment in which this application is located.

Concern has been raised regarding high groundwater levels as the result of the area being former marsh land. Within the applicant's FRA it has been acknowledged that there is a high water table issue at the site and has been observed that the ground is boggy in nature. Newport Town Council has recently commissioned borehole logs at the site which show ground water depths to vary between 0.95m and 1.61m below ground. The applicant states they have commenced their own ground water monitoring over the winter period commenced in January 2012. The detailed drainage strategy for the site would be developed with the benefit of a full suite of information pertaining to local ground water levels and seasonal patterns.

TWC Geotechnical Engineers confirm that the site is affected by high ground water levels. However, they still support the application subject to conditions that when designing the foundations and BRE Protocol 1 must be followed especially in relation to high ground water. They state careful consideration must also be taken to the adjacent cemetery site which is currently monitoring ground water levels for a cemetery extension. TWC Drainage Engineers have requested details on the levels of groundwater on site that must include winter levels to inform design details for the lining on the attenuation feature.

In conclusion, the site is not affected by flooding and the foul water network in the part of Newport has no known flooding issues. Surface water run-off created by the development can be controlled and bettered by the on site attenuation pond proposed subject to details as requested by the Council's Drainage Engineers and the Environment Agency. High groundwater levels in this area are acknowledged, however technical feedback received has indicated that these issues can be considered and solutions applied by requiring details to be submitted and approved by means of planning condition.

Other infrastructure issues including education provision.

In support of the application is a Utilities Report outlining enquiries that the applicant have been made regarding connections to utilities around the site. This states that in all instances suitable connections to water, electricity, gas and telecommunications can be made to the existing networks, with only some minor diversion work required along the northern footpath of Audley Avenue in respect to potable water and cable TV.

However, in acknowledgement that this application was one of four major planning applications currently being considered by the Local Planning Authority, and having regard to representations received at a local level, it was considered prudent to consider the cumulative effects of the proposed developments in relation to provision of physical and social community infrastructure not discussed elsewhere in this report.

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

- Western Power Distribution (electricity infrastructure);
- National Grid (gas infrastructure);
- Severn Trent Water (waste water treatment and water supply);
- Telford and Wrekin Primary Care Trust (Doctors and Dentists);

- TWC Education (Primary and Secondary School provision);
- TWC Parks and Open Spaces (Public Open Space provision).

Electricity

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

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

Regarding planning permissions which have already been granted for developments at Bromfield Road – TWC/2011/0179, Audley Road – TWC/2011/0334 and Continuing Care Retirement Community – W2008/0934, WPD will deal with them in the same way as the 3 new applications which are being considered.

Gas

The proposed areas of development have been checked and currently we do not predict any major problems to the network, other than for one development for the North and South of Station Road. Should this site be fully built then major reinforcement works will be required in the area. We will deal with requests to connect to our network on an individual basis as they come in from developers.

Sewage Treatment.

In regard to the treatment of waste water, Severn Trent Water in their Position Statement advise that the foul and combined sewerage network within Newport drains to the town's sewage treatment works (STW). Foul flows arising from the proposed new development would enter the existing sewerage network and therefore would ultimately drain to Newport STW. They stipulate that the sewerage network capacity problems highlighted earlier in this report are not linked to the capacity of the STW.

Comparison of measured flow against the current discharge consent issued by the Environment Agency indicates that Newport STW currently has spare headroom to accommodate approximately 670 new dwellings within its current discharge consent. This indicates that there is spare headroom to accommodate the early phases of the proposed development across the developments proposed in Newport within the existing discharge consent.

Accommodating the total number of proposed dwellings in Newport would require a revised discharge consent to be agreed with the Environment Agency, but subject to detailed discussion this is not envisaged to be an issue. The current treatment process is performing within its current quality parameters and is expected to have some additional treatment capacity to accommodate the later phases of development. Further detailed process design analysis would be required to confirm actual treatment capacity. Any additional capacity would be provided on the site of the existing STW.

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

Water supply.

With regard to water supply, Severn Trent Water identify in their Position Statement report that Newport forms part of the Telford water supply area. Water mains may need to be upgraded to supply the proposed development and a study is currently underway to identify long term infrastructure requirements to support new development in the area. The results of the study are expected in late summer 2012 and Severn Trent advises they will continue to work with Telford and Wrekin Council to manage the impact of new development on water supply infrastructure.

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

At the end of their Position Statement Severn Trent Water recommend that Telford and Wrekin Council prepares a Water Cycle Study to ensure that all aspects of the water cycle and associated infrastructure are considered for the administrative (Borough wide) area. This would enable an early appreciation of any investments in infrastructure that may be required, which can be planned accordingly. The need for such a Borough wide study has already been accepted by the Council and one has been commissioned as part of the evidence base to accompany preparation of a new Local Plan (Shaping Places). The absence of a Water Cycle Study at this moment in time does not preclude the determination of any applications before the Council.

Doctors and Dentists.

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

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

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

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

Education.

As detailed in the consultee section of the report above, the number of planning applications currently being considered by the Council in Newport has resulted in TWC Education preparing a "Position Statement", updated in July 2012.

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

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

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

With respect to contributions for school infrastructure, an indicative combined figure for Secondary and Primary provision has been calculated based on an average house size of 3.35 bedrooms and the pupil numbers this would generate. This then allows for a combined contribution figure to be divided by the number of dwellings proposed for each development so each site contributes to the needed school infrastructure in a fair and equitable manner.

In the case of this application, the contribution per dwelling of £2,464.55 would be multiplied by 215 (should that be the eventual number of dwellings that are applied for in any Reserved Matters application) to give a figure of £529,878 to be secured by means of a planning obligation.

Details on when such monies would be provided to the Council can be agreed and incorporated into a Section 106 agreement to reflect the need for a balance between the need for funds to deliver the necessary educational infrastructure and to help developers with cash flow in delivering a viable scheme. As with other education contributions, the Council would expect the agreed sums to be subject to indexation to ensure future value is not eroded by inflation.

The contributions highlighted above have been calculated as part of a pooled figure reflecting the proportional impact from this development in relation to the cumulative impact of the major applications with the Council for determination. As such they represent a maximum figure that would be required. In the event that some or all of

the other applications are not approved or implemented within a certain timeframe, it would be appropriate and fair to allow for a review of the contributions to establish what contributions would then be required at that time and if necessary allow for a refund for some or all of the contribution. Should Audley Avenue be the only application to be granted and implemented within this timescale Education Officers have highlighted that no contributions would be required.

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

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

Loss of existing sports fields

The application proposals include development on former sports pitches which have been used within the last five years and therefore the views of Sport England as a statutory consultee were sought.

The area of the site used for private pitches which is now fenced off from Audley Avenue, measures approximately 2.6 hectares in size and includes a rough surfaced car park and some single storey wooden hut/portacabin type single storey buildings used for storage and basic changing facilities. A mitigation package has been proposed to off-set the loss of the pitches as part of the Playing Pitch Assessment (PPA) Report submitted.

Paragraph 74 of the National Planning policy Framework (NPPF) states that such land should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality in a suitable location. Saved Policy LR4 – Outdoor Recreational Open Space from the Wrekin

Local Plan states the Council will refuse new development if it would result the loss of existing recreational open space that which is not replaced in an a suitable alternative location to an equal or improved specification.

Sport England originally issued an objection stating that it required a more robust understanding of the impact of the development. The applicant's undertook some additional work and consulted with Sport England and other relevant consultees and provided additional information.

The applicant's proposals as outlined in the PPA Report it has undertaken include a package of mitigation measures designed to off-set the loss of the former pitches, which include funding significant improvements to Shukers Fields (playing fields to the west of the site) to increase the pitch layout by improving the drainage and levelling of the pitches to maximise the layout within that area.

Improvement to the facilities at Shukers Fields are also proposed through funding the refurbishment of the changing rooms; provision of a storage facility, extension/reorganisation of the existing car park, ball stop fencing around specified perimeter locations; provision of shutters on the existing dug-outs. This area would also be the location for the provision of a new NEAP suitable for young children.

A further and significant element of the proposals include the provision of 1.6ha of land at Shukers Fields which is currently in private ownership (Haberdashers Company) into public ownership. This would ensure this area of land is provided for long term recreational use secured through a legal agreement. This area is shown on a plan at the end of this report.

A further element of the mitigation package contained within the PPA Report , which was discussed with Sport England relates to proposals for a new off-site full size football pitch on land adjoining the Burton Borough school. Land is available in the joint control of the applicant and the Council which (subject to gaining planning permission) would be made available for public/community use and the school use, managed on a community use basis. The land in the ownership of the applicant would be transferred to the Council/Burton Borough School upon implementation and this area is shown on a plan at the end of this report.

Following the receipt of this additional information, Sport England has removed its objection to the proposals having considered that the suggested mitigation package is sufficient to outweigh the loss of playing field at the Audco site. This being on the basis that the package of overall mitigation measures partially consists of like for like quantitative replacement and partially consists of operational, qualitative and access improvements to existing provision in the area. Using the context provided by the Council's supply and demand information, it appears that the overall mitigation package will facilitate access of a greater range of pitches with improved quality.

Importantly, it appears the proposed mitigation measures will maintain a local pitch stock which is sufficient in size and quality to meet current and likely future demand.

In removing their objection, Sport England's stated that this was subject to the provision of specific conditions to ensure the delivery and management of the off-site recreation proposals. The applicant, together with Council Officers, have discussed 4 conditions that would enable the provision of the mitigation package should this residential application be granted consent, in summary these would ensure:

- Prior to the commencement of development, planning consent must have been obtained for the development of a new off-site grass playing field, on land adjoining the Burton Borough School. Such an application shall contain details of the community access proposals for the pitch and wider school playing field area.
- No more than 75 dwellings can be occupied on the application site, until such time as the new off site pitch and community access proposals (referred to above) have been fully implemented to the written satisfaction of the Local Planning Authority, in consultation with its relevant stakeholders
- Prior to the commencement of development, full details of the improvements to the pitch levels and drainage arrangements at Shukers Fields, have been submitted to and agreed in writing by the Local Planning Authority in consultation with its relevant stakeholders. No more than 50 dwellings can be occupied on the application site, until such time as the agreed improvements to Shukers Fields have been fully implemented to the written satisfaction of the Local Planning Authority.
- Prior to the commencement of development, full details of the package of improvements and funding for the ancillary facilities at Shukers Fields as indicated above, have been submitted to and agreed in writing by the Local Planning Authority in consultation with its relevant stakeholders. No more than 75 dwellings can be occupied on the application site, until such time as the agreed improvements to Shukers Fields have been fully implemented to the written satisfaction of the Local Planning Authority.

Sport England has subsequently confirmed to the Local Planning Authority that the detailed wording of the conditions as described above is acceptable.

Based on the overall package of proposals, it has been satisfactorily demonstrated to the Local Planning Authority that loss of the former sports pitches would be replaced partially by like for like quantitative replacement and partially by operational, qualitative and access improvements to existing provision in the area. On this basis these securing of these proposals by planning condition satisfies the requirements of paragraph 74 of the NPPF and Saved Policy LR 4 – (Outdoor Recreational Open Space).

This package only mitigates the loss of the existing pitches. It is pertinent to have regard to pitch provision arising from extra users that this residential scheme would

generate. However, this issue has not been raised by either Parks and Open Space or Leisure Services Departments.

Open space and play provision

The development proposes a number of properties which will contribute to the need for further recreational facilities for the area. The Illustrative Masterplan illustrates that the proposals incorporate both formal and informal open space, landscaping and wildlife areas. Formal open space would total 1.98 hectares with informal open space (including balancing pond) being 0.56 hectares. The applicant proposes an off site Neighbourhood Equipped Area for Play (NEAP) adjoining the application boundary to the west of the site on recreational land owned by the Council and this would include a hard standing ball court.

It is not proposed that any open space provision is laid out with formal outdoor sports pitches and the applicant justifies this on the proximity of the site to the adjacent Shukers Fields playing pitches and the enhancements proposed to that area as well as additional off-site pitch provision proposed on land adjacent to Burton Borough.

The Council's Parks and Open Spaces Officer supports the application subject to suitable conditions in relation final design, implementation and management and also a Section 106 agreement relating to the future adoption by the Council of the open space if that option is exercised by the applicant.

Off site provision for a NEAP adjacent to the site is accepted and has been agreed on the basis of the financial contribution of £162,000. It is therefore concluded that the proposal meets the need for open space, play and recreation arising from the development in accordance with saved Wrekin Local Plan policies LR4 (Outdoor Recreational Open Space) and LR6 (Contributions to Outdoor Recreational Space Provision).

The proposal also includes 0.22ha of land specifically for an extension to existing allotments in the north eastern corner of the site, as indicated on the Illustrative Masterplan. Access to the existing allotments is provided at the end of Meadow View Road. Following a request by the Town Council, the applicant has confirmed that pedestrian access to the allotment extension would also be provided for through the proposed development. Within the applicant's Section 106 Heads of Terms it is stated that it is their intention that this land be provided to Newport Town Council who own and administer the existing allotment site.

Conflict with adjoining uses (including noise)

The site is surrounded by a number of different land uses. Concern has been raised that residential development in this location may lead to conflict between these uses. The adjoining uses of concern relate to the employment areas to the south and south

east of the application site, the Cemetery to the west, and the bypass to the north east.

With regards to conflicts with the adjoining employment areas detailed representations have been received from the existing Mornflake operation to the south of the site and the owners of Audley Business Park who own land adjoining the site to the south east where planning permission has recently been renewed for the demolition of existing buildings and erection of a building comprising 2931sqm gross floor space for employment use and 413sqm car auction together with associated parking, access and landscaping (ref TWC/2011/0853). These representations have been summarised in the consultation section earlier in this report.

The concerns raised relate to both negative impacts on those who would live in houses in terms of noise, air pollution and wider residential amenity but also that any such negative impacts may result in future residents complaining about industrial operations that could consequently could lead to restrictions upon those operation or result in further costs placed upon them. In regard of this latter point paragraph 123 of the National Planning states that existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

The application has been accompanied by a Noise Assessment (plus addendum) and Air Quality Assessment that Council's Environmental Health Officer has considered, together with the representations mentioned above. The advice given notes that the permission south east of the includes Class B2 (General Industrial) operations which are capable of being detrimental to the amenities of sensitive receptors by reason of noise, vibration, smell, fumes, smoke, ash, dust or grit. Furthermore, there are no restrictions on hours of operation or noise levels for these units and the proposed buildings are situated on the eastern boundary of this application and as such there will be minimal distance attenuation.

However, the advice received in relation to noise states that it would be technically possible to provide noise attenuation measures for a residential development adjacent to typical B2 use, even using the Quiet Borough standards. These measures would however place severe constraints on the design, layout and construction of any properties along the eastern boundary of the site. It is important to note however that this is based on a typical B2 Class Use and it is possible that a process may be undertaken in this development which is particularly annoying to the human ear.

If Plans Board are minded to approve this application the advice recommends that a condition be incorporated into any such permission granted requiring a Detailed Scheme of Noise Attenuation Measures including but not restricted to, the design,

layout and form of construction of any Noise Sensitive Receptors. This is considered appropriate as the application is in outline and details regarding layout, appearance and landscaping would be determined as part of any reserved matters application. This would also be the means where household amenity connected to outlook and daylight and sunlight levels for the proposed residential properties can be appropriately considered. In relation to other matters the advice received states that any Class B2 industrial use is capable of affecting the amenity of sensitive receptors by reason of vibration, smell, fumes, smoke, soot, ash, dust or grit in addition to noise.

As there are currently no details available of the exact processes which may be carried out we cannot accurately comment on the extent to which this may occur. If either the noise levels or any of the above factors cause Statutory Nuisance to the Proposed Residential Development then Public Protection will be under a legal duty to take Enforcement Action. This could involve the service of legal notices which could restrict the activities carried out within the B2 Units or involve the operators in considerable financial expense in installing appropriate mitigation measures.

It is noted that the recent renewal of permission to the south east of the site involves the demolition of existing buildings and the erection of new buildings. It is considered reasonable that in constructing these new buildings these should be built to current environmental standards and when being fitted out with environmental control equipment should have regard to adjoining land uses, including residential uses.

Also in relation to this aspect of concern, whilst the permission allows any operations coming under the General Industrial use class (B2), the size of the proposed building together with the type of business that Newport tends to attract means that the likelihood of the new building attracting a noisy and polluting operator is limited.

The proximity of the site to the existing Cemetery to the site is not considered inappropriate as residential areas historically border such facilities. Whilst some disturbance may occur as a result of building works these would be limited to the houses closest to the boundary of the two uses and would not be a permanent

With regard to the proximity to the bypass, there are no grounds for objection in relation to Air Quality, as the submitted Air Quality Data shows acceptable levels are to be maintained. With regard to traffic noise, the proposed dwellings would be afforded separation from the bypass by the allotment extension and surface water pond and together with building orientation and noise attenuation measures should be within acceptable limits.

On balance it is concluded that conflict with adjoining land uses is limited and adjacent uses do coexist with residential developments in other areas. It is

therefore acceptable in principle. However, whilst the conflict is limited it is not non-existent, especially with regard to employment uses and this is a consideration highlighted in the NPPF. In this instance though the advice received from the Council's Environmental Health Officer suggests that noise can be considered at the reserved matters stage by requiring a Detailed Scheme of Noise Attenuation Measures including but not restricted to, the design, layout and form of construction of any Noise Sensitive Receptors. With regard to other sources of pollution and nuisance that can arise it is considered reasonable that in constructing these new buildings these should be built to current environmental standards and when being fitted out with environmental control equipment should have regard to adjoining land uses, including residential uses.

Works on trees covered by Tree Preservation Orders.

The application site includes a significant number of trees, including trees which benefit from the protection of Tree Preservation Orders. Figure 3 of the Arboricultural Assessment suggests there are least 38 TPO trees on the application site, with an additional 30 trees not covered by TPOs. Good planning practice requires that existing trees, particularly TPO trees, be retained where possible.

Within the Arboricultural Assessment 35 trees are proposed for removal with a number of these is subject to TPO's. However, the Council's Arboricultural Officer notes in their response to this application that a large proportion of these are Lombardy poplars which have been identified as approaching the end of their safe useful life and does not object to the proposals. Although the response does request a number of important conditions regarding the felling of trees to be removed and the protection of trees to be retained together with mitigation for the loss being required as part of any consent given.

It is concluded the Arboricultural Assessment submitted with the application and the consideration of this by qualified Council Officers give comfort that (subject to conditions outlined in the response to this application) the works to the trees on site as proposed, including those covered by Tree Preservation Orders, are acceptable.

CONCLUSIONS AND RECOMMENDATIONS:

Conclusions

The delivery of affordable housing is a fundamental determinant of the development strategy for Newport in the adopted Core Strategy. Monitoring data since adoption has demonstrated that developments for both completed and committed proposals have failed to deliver the required number of dwellings and level of affordable housing required by policies CS1(Homes) and CS6(Newport) respectively. The development proposed would help address both of these deficits. When reflecting on the Inspector's judgment regarding the disadvantages of brownfield sites and that large greenfield sites would be required to deliver the level of provision envisaged by

the Core Strategy, then greenfield sites such as Audley Avenue are acceptable and necessary to help ensure delivery of the local housing needs for Newport and its rural hinterland.

Although the recent Plans Board resolutions to grant housing proposals at Maynards Croft and Wellington Road increase the supply of housing, the number of dwellings permitted would not meet the housing shortfall and Core Strategy target to 2016 because of lead in times and build out rates that would extend beyond 2016 as highlighted in Table 2. There is a need therefore for extra dwellings to deliver the shortfall and Core Strategy target by 2016 that can be met by this proposal.

Given the number of dwellings being applied for at Maynards Croft, Wellington Road and Audley Avenue, the total number of dwellings if granted by the Council would go beyond that required by the current Core Strategy period of 2016. The trajectory in Table 3 shows that by 2021 the number of dwellings being sought by the various permissions would equate to the level of housing of the 60 dwellings per annum by that date.

However, with development of the Council's new Local Plan (Shaping Places) in its infancy there are no grounds to consider this or other applications before the Council in relation to prematurity with an emerging Plan. The local planning authority is not yet in a position to identify a revised policy position as the basis of revised evidence, in the form of the 2009 Strategic Housing Market Assessment, needs to be adjusted to account for forthcoming updated population projections.

The Core Strategy as submitted for Examination evidenced the housing needs for Newport to 2021 before the time period was reduced to 2016 by the Inspector, predominately on the basis of Telford centric issues. With regard to the Inspectors reference to monitoring of the early part of the plan period, this has revealed under delivery in dwelling numbers and affordable housing provision which the applications under consideration could address. The 2009 update to the Strategic Housing Market Assessment has revealed an increased need for affordable housing.

In light of the above, it is considered that the continuation of the target level of 60 dwellings per year for Newport defined by CS1 (Homes) beyond the end of the current Core Strategy can be considered appropriate in helping meet the affordable housing needs in Newport with a realistic chance of delivery in current market conditions.

It is also considered that the above position is consistent with the National Planning Policy Framework which outlines what Local Planning Authorities should do '*To boost significantly the supply of housing*' (paragraph 47). The NPPF also states that "*Housing applications should be considered in the context of the presumption in favour of sustainable development.*" (paragraph 49). This relates to the social role of

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

Furthermore, it is considered that the proposed development accords with one of the NPPF’s Core planning principles that the planning system ought to play, this being:

‘proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities’

Also with regard to the NPPF, the proposed range of housing size, type and tenure in the application would contribute to the creation of sustainable, inclusive and mixed communities advocated in paragraph 50.

Whilst this application is made in outline, the parameters defining the density of the development and the maximum height of the dwellings (3 storeys) are considered appropriate in the context of Newport and this particular location.

Although part of the site is designated Open Space in the saved policies of the Wrekin Local Plan and the remainder being outside of the built up area, the principle of the development in this location is acceptable on policy grounds given the other material considerations outlined, particularly as the proposal is consistent with Policy CS6 (Newport) in meeting the local need for new homes with the required level of affordable housing. The site has been assessed as having medium to low landscape sensitivity and a high to medium capacity to accommodate housing. As a greenfield site on the edge of Newport, the application site is considered to represent a sustainable location given its location to the town centre and proximity to services. Access to public transport is within walking distance of the site and may be enhanced closer to the site as part of a package of improvements associated with a number of proposals in Newport.

In response to the application and the supporting Transport Assessment, the Council’s Highways Engineers have not raised any objection. There are though concerns that there would be a cumulative impact on the local highway network should all the major developments currently under consideration receive planning consent, that would be such as to cause capacity and safety issues on parts of the

strategic highway network. In light of this concern, the Highway Authority has carried out an assessment of the cumulative impact, based on the background counts carried out in support of the developments and on the distribution of development trips put forward by each highway consultant for their respective developments. Provided Section 106 contributions and conditions are applied to any consent granted, it is concluded that there are no reasons for refusal on highways grounds.

The site is not affected by flooding and the foul water network in the part of Newport has no known flooding issues. Surface water run-off created by the development can be controlled and bettered by the on site attenuation pond proposed subject to details as requested by the Council's Drainage Engineers and the Environment Agency. High groundwater levels in this area are acknowledged, however technical feedback received has indicated that these issues can be considered and solutions applied by requiring details to be submitted and approved by means of planning condition.

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

Based on the overall package of proposals put forward by the applicant, it has been satisfactorily demonstrated to the Local Planning Authority and Sport England that the loss of the former sports pitches would be replaced. The proposals partially provide like for like quantitative replacement as well as by operational, qualitative and access improvements to existing provision in the area. On this basis the securing of these proposals by planning condition satisfies the requirements of paragraph 74 of the NPPF and Saved Policy LR4 – (Outdoor Recreational Open Space).

Adequate areas for public open space are provided for within the application area and off site provision for a NEAP adjacent to the site is accepted and has been agreed on the basis of the financial contribution of £162,000. This could be secured via a Section 106 agreement that could also relate to the future adoption by the Council of the open space if that option is exercised by the applicant. It is therefore concluded that the proposal meets the need for open space, play and recreation arising from the development in accordance with saved Wrekin Local Plan policies LR4 (Outdoor Recreational Open Space) and LR6 (Contributions to Outdoor Recreational Space Provision).

The proposal also includes 0.22ha of land specifically for an extension to existing allotments in the north eastern corner of the site, as indicated on the Illustrative Masterplan. Within the applicant's Section 106 Heads of Terms it is stated that it is their intention that this land be provided to Newport Town Council who own and administer the existing allotment site.

On balance it is concluded that conflict with adjoining land uses is limited and adjacent uses do coexist with residential developments in other areas. It is therefore acceptable in principle. However, whilst the conflict is limited it is not non-existent, especially with regard to employment uses and this is a consideration highlighted in the NPPF. In this instance though the advice received from the Council's Environmental Health Officer suggests that noise can be considered at the reserved matters stage by requiring a Detailed Scheme of Noise Attenuation Measures including but not restricted to, the design, layout and form of construction of any Noise Sensitive Receptors. With regard to other sources of pollution and nuisance that can arise it is considered reasonable that in the new employment buildings recently consented to the south east of the site should be built to current environmental standards and when being fitted out with environmental control equipment should have regard to adjoining land uses, including residential uses.

It is concluded the Arboricultural Assessment submitted with the application and the consideration of this by qualified Council Officers give comfort that (subject to conditions outlined in the response to this application) the works to the trees on site as proposed, including those covered by Tree Preservation Orders, are acceptable.

Overall, it is considered that the development proposed in the application represents sustainable development and there is a presumption in favour of sustainable development in National Planning Policy Framework.

Planning Obligations

With regard to planning obligations, the consultations received in relation to this application have highlighted the need for contributions relating to the following:

- provision of affordable housing (at 35% as per Core Strategy Policy CS6);
- highways works and public transport;
- education infrastructure;
- financial contribution for the provision of a Neighbourhood Equipped Area of Play on land adjoining the application site;
- transfer of private land in public ownership at Shukers Fields and adjacent to Burton Borough School;
- possible transfer of land set aside for allotments to Newport Town Council, and;
- possibly with regard to future adoption by the Council of the public open space and associated SUDs feature.

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

However, such cumulative costs are by no means assured as they have been based on a level of development proposed in the other major applications submitted to the Council in the Newport area over the last 14 months. In essence they represent a maximum contribution that would be required from this applicant in contributing to the cumulative impacts that have been assessed as arising from a number of developments. If these applications are not approved or implemented then it is fair that a review mechanism exists within a Section 106 agreement so that, within a timescale to be agreed and set out in the required Section 106 agreement, the position can be assessed as to whether the applications under consideration have been or are likely to be granted or implemented, and if they have or are, allow for the return of some of the funds to reflect a lower level of impact arising from developments granted. This may even be to the point where impacts are only assessed to this particular application in isolation if it is the only one approved and implemented by the Council.

Therefore, the precise amount of Section 106 payments for certain highways contributions and all the education contributions depend on whether this application is granted permission in isolation, or is one granted and implemented together with other applications recently determined by the Council or that remain to be determined in the near future (Station Road ref TWC/2011/0871). In addition there are other variables that can only be considered when details accompanying Reserved Matters details are submitted, for example, the precise number and size of houses in relation to calculating education contributions.

Land within this application is within the control of Telford and Wrekin Council as well as the applicant. Because the Council cannot enter into a Section 106 agreement with itself the Planning Obligations would need to be secured through a Section 106 agreement with the applicants and also a Memorandum signed by the Assistant Director Development Business and Housing.

Referral to the Secretary of State

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

application.

Recommendation to Plans Board

Based on the conclusions above, the recommendation to Plans Board on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

A.) Confirmation from the Secretary of State that he does not wish to call-in the application for determination;

B.) The applicants/Council as landowner entering into a Section 106 agreement/Memorandum (signed by the Assistant Director Development Business and Housing) with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:

(i) Affordable housing, to include:

- Provisions ensuring that 35% of the dwellings to be built shall be affordable housing either in number or value (to allow for the inclusion of more expensive specialised affordable housing where required);
- Of the above 80% to be Rented Social Housing dwellings and the remaining 20% in Shared Ownership unless otherwise agreed with the Council;
- Provisions ensuring that the affordable housing is provided throughout the development and not left to the latter stages and also that the houses are delivered in small clusters;
- Inclusion of details to ensure lettings are prioritised to Newport area based residents;
- Receipts from the disposal of any Shared Ownership dwellings to be recycled and used for the provision of further affordable housing.

(ii) Highways works, to include:

- Off site highway infrastructure improvements - up to a maximum of £314,072;
- Public transport service enhancements – up to a maximum of £120,000;
- Public transport infrastructure (bus shelters) – up to a maximum of £10,000.

Timescale and triggers for the payment of the contributions to be agreed. Details of reviews will need to be agreed to take into account whether other permissions have been or are likely to be granted or implemented in Newport and if not to reassess whether the maximum figures stated can still be justified for this development.

- Travel Plan monitoring - £5,000.

(iii) Education infrastructure funds up to maximum of £529,878 provided the average number of bedrooms per dwelling across the development is under 3.35.

Timescale and triggers for the payment of the contributions to be agreed. Details of reviews will need to be agreed to take into account whether other permissions have been or are likely to be granted or implemented in Newport and if not to reassess whether the maximum figures stated can still be justified for this development.

(iv) The provision of Open Spaces, to include (if that option is exercised by the applicant) a transfer of the open space and recreation areas to the Council at a suitable time and with payment of a commuted sum for maintenance to be agreed. Or alternatively, provide for a residents management company to maintain those areas.

(v) Index linked financial contribution of £162,000 for the provision of a Neighbourhood Equipped Area of Play on land adjoining the application site as indicated on submitted drawings.

(vi) Provision of new allotment land of 0.22 hectares to be provided as an extension to the existing allotment site north of the application site and offered for transfer into the ownership of Newport Town Council.

(vii) The transfer of 1.6 hectares of privately owned land to Telford and Wrekin Council to be used for continued sports pitch provision as part of the enhanced Shukers Field playing fields area.

(viii) The transfer to Telford and Wrekin Council of land owned by the applicant that is developed as a new sports pitch adjacent to the Burton Borough School as indicated in the Playing Pitch Assessment Report; and

(ix) Provision of a Planning and Financial Monitoring contribution of £9,000.

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

1. A01 Time limit - Outline
2. A03 Time limit – Submission of Reserved Matters.
3. B02 Standard outline some matters reserved.
4. B10 Details of materials.
5. BCustom Details of NEAP, MUGA and Allotment area (including access path from within the development to the former and point of access to the latter from within the site).
6. BCustom Phasing plan for the development.

7. BCustom No dwellings to be built overlooking NEAP until such a facility has been provided.
8. B121 Landscape design.
9. B126 & 7 Landscape Management and Maintenance.
10. B125 Details of earthworks to including for a gradual grading of the land within the application site boundary, where it adjoins the northern boundary of the cemetery extension land if necessary.
11. BCustom Highways details as specified by Highways Engineers (including Travel Plan).
12. BCustom Detailed Scheme of Noise Attenuation Measures for dwellings.
13. B57 Land contamination.
14. B150 Site Environmental Management Plan for construction works.
15. BCustom Details of surface water drainage to include requirements specified by Drainage Engineers and Environment Agency.
16. B130 Tree protective fencing.
17. B131 Trees Services root protection.
18. B134 TPO Extent of works
19. B132 Trees No Dig Method.
20. B133/5/6 TPO Replacements, Planting details and Scheme.
21. BCustom Scheme of sustainable construction with regards to housing.
22. BCustom Details for the erection of bird boxes.
23. B141 Ecological Mitigation and Method Statement.
24. B/C 4 conditions as specified in the report regarding playing pitch
Custom mitigation off site at Shukers Fields and adjacent to Burton Borough School.
25. C76 Landscape Implementation hard and soft.
26. C79 TPO Tree Suitable Contractor.
27. C70 Trees – no burning.
28. C71 Trees – Soil levels.
29. C72 Trees – Material Storage.
30. DCustom Maximum number of dwellings permitted to be 215 units.
31. DCustom Development in accordance with deposited plans.

Informatives:

I106 – Section 106 agreements

I35 – Custom - Geotechs: The site is affected by high ground water levels. This must be considered when designing the foundations and BRE Protocol 1 must be followed especially in relation to high ground water.

I40 - Conditions

I44 – Reasons for grant of Approval

REASON FOR APPROVAL:

The delivery of affordable housing is a fundamental determinant of the development

strategy for Newport in the adopted Core Strategy. Monitoring data since adoption has demonstrated that developments for both completed and committed proposals have failed to deliver the required number of dwellings and level of affordable housing required by policies CS1(Homes) and CS6(Newport) respectively. The development proposed would help address both of these deficits. When reflecting on the Inspector's judgment regarding the disadvantages of brownfield sites and that large greenfield sites would be required to deliver the level of provision envisaged by the Core Strategy, then greenfield sites such as Audley Avenue are acceptable and necessary to help ensure delivery of the local housing needs for Newport and its rural hinterland.

Although the recent Plans Board resolutions to grant housing proposals at Maynards Croft and Wellington Road increase the supply of housing, the number of dwellings permitted would not meet the housing shortfall and Core Strategy target to 2016 because of lead in times and build out rates that would extend beyond 2016 as highlighted in Table 2. There is a need therefore for extra dwellings to deliver the shortfall and Core Strategy target by 2016 that can be met by this proposal.

Given the number of dwellings being applied for at Maynards Croft, Wellington Road and Audley Avenue, the total number of dwellings if granted by the Council would go beyond that required by the current Core Strategy period of 2016. The trajectory in Table 3 shows that by 2021 the number of dwellings being sought by the various permissions would equate to the level of housing of the 60 dwellings per annum by that date.

However, with development of the Council's new Local Plan (Shaping Places) in its infancy there are no grounds to consider this or other applications before the Council in relation to prematurity with an emerging Plan. The local planning authority is not yet in a position to identify a revised policy position as the basis of revised evidence, in the form of the 2009 Strategic Housing Market Assessment, needs to be adjusted to account for forthcoming updated population projections.

The Core Strategy as submitted for Examination evidenced the housing needs for Newport to 2021 before the time period was reduced to 2016 by the Inspector, predominately on the basis of Telford centric issues. With regard to the Inspectors reference to monitoring of the early part of the plan period, this has revealed under delivery in dwelling numbers and affordable housing provision which the applications under consideration could address. The 2009 update to the Strategic Housing Market Assessment has revealed an increased need for affordable housing.

In light of the above, it is considered that the continuation of the target level of 60 dwellings per year for Newport defined by CS1 (Homes) beyond the end of the current Core Strategy can be considered appropriate in helping meet the affordable housing needs in Newport with a realistic chance of delivery in current market

conditions.

It is also considered that the above position is consistent with the National Planning Policy Framework which outlines what Local Planning Authorities should do *‘To boost significantly the supply of housing’* (paragraph 47). The NPPF also states that *“Housing applications should be considered in the context of the presumption in favour of sustainable development.”* (paragraph 49). This relates to the social role of sustainable development that seeks to support *‘strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being’*.

Furthermore, it is considered that the proposed development accords with one of the NPPF’s Core planning principles that the planning system ought to play, this being:

‘proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities’

Also with regard to the NPPF, the proposed range of housing size, type and tenure in the application would contribute to the creation of sustainable, inclusive and mixed communities advocated in paragraph 50.

Whilst this application is made in outline, the parameters defining the density of the development and the maximum height of the dwellings (3 storeys) are considered appropriate in the context of Newport and this particular location.

Although part of the site is designated Open Space in the saved policies of the Wrekin Local Plan and the remainder being outside of the built up area, the principle of the development in this location is acceptable on policy grounds given the other material considerations outlined, particularly as the proposal is consistent with Policy CS6 (Newport) in meeting the local need for new homes with the required level of affordable housing. The site has been assessed as having medium to low landscape sensitivity and a high to medium capacity to accommodate housing. As a greenfield site on the edge of Newport, the application site is considered to represent a sustainable location given its location to the town centre and proximity to services. Access to public transport is within walking distance of the site and may be enhanced closer to the site as part of a package of improvements associated with a

number of proposals in Newport.

In response to the application and the supporting Transport Assessment, the Council's Highways Engineers have not raised any objection. There are though concerns that there would be a cumulative impact on the local highway network should all the major developments currently under consideration receive planning consent, that would be such as to cause capacity and safety issues on parts of the strategic highway network. In light of this concern, the Highway Authority has carried out an assessment of the cumulative impact, based on the background counts carried out in support of the developments and on the distribution of development trips put forward by each highway consultant for their respective developments. Provided Section 106 contributions and conditions are applied to any consent granted, it is concluded that there are no reasons for refusal on highways grounds.

The site is not affected by flooding and the foul water network in the part of Newport has no known flooding issues. Surface water run-off created by the development can be controlled and bettered by the on site attenuation pond proposed subject to details as requested by the Council's Drainage Engineers and the Environment Agency. High groundwater levels in this area are acknowledged, however technical feedback received has indicated that these issues can be considered and solutions applied by requiring details to be submitted and approved by means of planning condition.

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

Based on the overall package of proposals put forward by the applicant, it has been satisfactorily demonstrated to the Local Planning Authority and Sport England that the loss of the former sports pitches would be replaced. The proposals partially provide like for like quantitative replacement as well as by operational, qualitative and access improvements to existing provision in the area. On this basis the securing of these proposals by planning condition satisfies the requirements of paragraph 74 of the NPPF and Saved Policy LR4 – (Outdoor Recreational Open Space).

Adequate areas for public open space are provided for within the application area and off site provision for a NEAP adjacent to the site is accepted and has been agreed on the basis of the financial contribution of £162,000. This could be secured

via a Section 106 agreement that could also relate to the future adoption by the Council of the open space if that option is exercised by the applicant. It is therefore concluded that the proposal meets the need for open space, play and recreation arising from the development in accordance with saved Wrekin Local Plan policies LR4 (Outdoor Recreational Open Space) and LR6 (Contributions to Outdoor Recreational Space Provision).

The proposal also includes 0.22ha of land specifically for an extension to existing allotments in the north eastern corner of the site, as indicated on the Illustrative Masterplan. Within the applicant's Section 106 Heads of Terms it is stated that it is their intention that this land be provided to Newport Town Council who own and administer the existing allotment site.

On balance it is concluded that conflict with adjoining land uses is limited and adjacent uses do coexist with residential developments in other areas. It is therefore acceptable in principle. However, whilst the conflict is limited it is not non-existent, especially with regard to employment uses and this is a consideration highlighted in the NPPF. In this instance though the advice received from the Council's Environmental Health Officer suggests that noise can be considered at the reserved matters stage by requiring a Detailed Scheme of Noise Attenuation Measures including but not restricted to, the design, layout and form of construction of any Noise Sensitive Receptors. With regard to other sources of pollution and nuisance that can arise it is considered reasonable that in the new employment buildings recently consented to the south east of the site should be built to current environmental standards and when being fitted out with environmental control equipment should have regard to adjoining land uses, including residential uses.

It is concluded the Arboricultural Assessment submitted with the application and the consideration of this by qualified Council Officers give comfort that (subject to conditions outlined in the response to this application) the works to the trees on site as proposed, including those covered by Tree Preservation Orders, are acceptable.

Overall, it is considered that the development proposed in the application represents sustainable development and there is a presumption in favour of sustainable development in National Planning Policy Framework.

TWC/2014/0113

Former British Sugar site, Allscott, Telford, Shropshire

Outline application for the erection of a mixed use development comprising of up to 470no. dwellings (Use Class C3), a primary school (Use Class D1), a commercial area (Use Class B1), clinic and health centres (Use Class D1), retail units (Use Class A1), financial and professional services (Use Class A2), restaurant and cafes and/or hot food takeaways (Use Classes A3 and A5) with associated allotments, sport and recreational facilities, open space, biodiversity enhancement and access (All other matters reserved) *****ADDITIONAL INFORMATION RECEIVED*****

APPLICANT

Northern Trust Co. Ltd and British Sugar,

RECEIVED

19/05/2014

PARISH

Wrockwardine

WARD

Wrockwardine

OFFICER

Valerie Hulme

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Loss of employment land in Rural Area; Housing need; Sustainability; Loss of agricultural land; Highway, traffic and public rights of way issues; Rail considerations; Community facilities, open space, play and recreation provision; Pollution and amenity issues; Surface and foul water drainage, other infrastructure issues; Ecology and habitats regulation including SSSI considerations; Impact on historic assets; Landscape impact including setting of AONB.

1. PROPOSAL

1.1. The proposal seeks outline planning consent for a mixed use development at the former Sugar Beet Plant Allscott, comprising:

- Up to 470 sustainable dwellings covering approximately 15.4ha, including affordable housing that offer a range of designs, and sizes to create a mixed community to meet local needs.
- A village primary school (single form entry) for circa 156-200 pupils provided on 1ha land.
- A business hub, which will provide short term rentable office space, business support services, high speed broadband, as well as providing work space and networking space for home workers, start-up enterprises and the self-employed.
- New community facilities created through commercial space, which is intended for a local shop, healthcare centre and pharmacy. This will be achieved through a flexible consent for a variety of possible retail uses or services. Both this and the hub will cover approximately 0.3ha of land.
- Community allotments, circa 0.8ha, sufficient to accommodate 56 half size plots or 28 full size plots and associated parking;

- Sport and recreation facilities, covering 7.6ha providing a pavilion, 2 bowling greens, 2 full size football pitches, 3 cricket pitches and associated facilities.
 - 9.8ha of open space, including both blue and green infrastructure, enhancements to the existing tree belt around site boundaries, new formal open space including a MUGA.
 - New attenuation ponds and SUDs features throughout the scheme that provide habitats for local wildlife, approximately 1.7ha;
 - Improved pedestrian and cycle link, including an increase in the connectivity of footpaths, green links and recreational spaces
 - Enhanced public transport connections
 - Increased local capacity in services such as electricity, water, telecommunications and new foul drainage connection.
- 1.2. Whilst the layout is reserved for later approval, a parameters plan accompanies the scheme dividing the site into 4 distinct areas:
- 1.3. Area 1: will comprise the retained and new sports and recreation facilities, together with the proposed biodiversity enhancement area. Access will be via the existing access off Station Road, where there is a three arm priority junction, referred to as access 1.
- 1.4. Area 2: will comprise approximately 406 of the proposed new homes, together with informal public open space, SuDs drainage features and landscape buffers. This area will have two access points off Station Road, one to the west and one to the east, which will be connected by a spine road. The western access will take the form of a three arm priority junction with 2m footways on both sides of the carriageway referred to as access 2. The eastern access is in the same location as the existing access into the former sugar plant, although as the development will not serve a significant number of HGVs the scale of the junction is to be reduced so that the access is more in keeping with a residential development, with footways on both sides of the carriageway referred to as access 3. Station Road within Area 2 will also have direct access off Station Road.
- 1.5. Area 3: will comprise the remaining dwellings (circa 64 new homes), the community facilities comprising an area of open space with a children's play area, multi-use games area and public art, together with the proposed primary school and commercial area. There will also be SuDS drainage features and landscape buffers. Access will be via a new three arm priority junction off Station Road referred to as access 4.
- 1.6. Area 4: will comprise the proposed allotments and access will be from a new priority controlled junction off Station Road, referred to as access 5.
- 1.7. Pedestrian and cycle access will be provided from the above access points, with crossing points to also be provided on Station Road as part of the Station Road Traffic Management scheme (see section 3.2 of this Statement). The

development will also include links onto neighbouring bridleways and public rights of way.

1.8. Environmental Statement and supporting documentation:

The proposed development constitutes a 'Schedule 2' development of The Town & Country Planning (Environmental Impact Assessment) regulations 2011, as it qualifies as an 'urban development' project in accordance with Section 10(b) of schedule 2. Due to the significant environmental effects to arise from the development the application is deemed to constitute an 'EIA Development', and as such an Environmental Statement (ES) has been submitted with the application. A subsequent scoping exercise was undertaken by the LPA with advice from external consultees and concluded that the following technical assessments were to be included in the ES:

- Socio Economics;
 - Landscape and Visual;
 - Ecology and Nature Conservation;
 - Traffic and Transportation;
 - Noise and Vibration;
 - Air Quality;
 - Water Resources and Flood Risk; and
 - Ground Conditions and Contamination.
-
- Aspects scoped out were:
 - Archaeology and Built Heritage;
 - Waste; and
 - Agriculture.

1.9. Following the initial consultation on the application further information was requested from the Archaeologist and in addition an element of land was identified as land under the control of Network Rail. Subsequently additional information has been submitted and the site edged red has been amended to remove this minor element of land with the ES being updated to reflect these issues.

1.10. The ES identifies a number of adverse effects which predominantly relate to the effects during construction. These relate to:

- Effects resulting from changes to the landscape and views;
- Noise from the construction process; and
- Potential for surface and groundwater contamination.

1.11. However the ES also identifies that the implementation of mitigation measures during construction such as the use of site hoarding, dust and noise suppression measures and temporary drainage will result in many adverse effects being reduced or avoided. The issues covered within the ES are discussed throughout this report.

1.12. In addition to the amended ES, the following documents accompany the application:

- Application form
- Site Location Plan
- Parameters Plan
- Site Access Details
- Illustrative Masterplan
- Design & Access Statement (DAS)
- Sustainability Statement
- Viability Statement
- Statement of Community Involvement
- Stability Report Declaration
- Agricultural Land Classification Desk Top Report

2. BACKGROUND

2.1. The Factory:

The Allscott Sugar Beet Factory was erected in 1927 and processed sugar at this location for 80 years until its closure in Autumn 2007. The operations of the factory were split between a “beet end” and a “sugar end”. The “beet end” typically occurred between September and March. During this period sugar beet was delivered to the site after harvesting and was then washed, sliced and cleaned, before being processed and stored in specialist tanks. The “sugar end” typically occurred between spring and late summer and involved filtering the processed sugar liquid from the “beet end” and boiling it under vacuum to create a thick syrup, where tiny sugar crystals were added to encourage crystallization. Pure white sugar crystals were then separated in a centrifuge, before being conditioned and stored for distribution. As the sugar beet was delivered straight to the site following harvesting, the “beet end” included washing off soil and diverting the muddy water to large ponds located to the north of Station Road, adjacent to the River Tern. These ponds allowed the soil to settle out before clean water returned to the river. In 1986 these settling ponds were designated as a Site of Special Scientific Interest (SSSI) due to them supporting a bird community of County importance.

2.2. The plant processed some 850,000 tonnes of sugar beet per year resulting in traffic generation during peak times (winter) of some 800 HGV movements per day.

2.3. During operation a Sports and Social club was run by the factory for its employees, this included a bowling green / club house to the south of Station Road and some sports pitches to the north.

2.4. Current use and Marketing

The specialist use of the buildings and associated plant machinery did not lend themselves to any alternative uses; consequently a decision was made to clear the site at the end of 2008 with the site reduced to hard standing. It is important to note that whilst the buildings were cleared the site retains its

industrial use as class B2 of the Town and County Planning (Use Class) Order as amended, and thus such a facility could be established on the site without planning consent; it may however require planning consent for any building or plant etc. that does not constitute as permitted development as per the Town and Country Planning (General Permitted Development) Order as amended.

- 2.5. King Sturge (now Jones Lang LaSalle) marketed the site for a Class B2 industrial use over a three year period; despite this campaign a new use was not secured, and in 2011 Northern Trust Company Ltd were instructed to promote the site for redevelopment.
- 2.6. The land containing the former settling ponds, which are the subject of the SSSI, have since been sold to a third party and all responsibility to manage habitats and water levels within the SSSI were transferred with it. The remainder of the former British Sugar plant is still under the ownership of British Sugar, and the sports and social club remains open having a short term lease for peppercorn rent.
- 2.7. Consultation
A statement of community involvement accompanies the application; this confirms that a comprehensive consultation and engagement programme has been undertaken by the applicant to understand the needs and ambitions for the site from residents, community groups, businesses and local town councils / ward members. A two stage approach was adopted by the applicant, initially introducing the community to the site and outlining various options to encourage constructive feedback as the first element, and a secondary element comprising a redesign of the scheme based on the feedback received.
- 2.8. The extensive consultation period lasted around 15 months and included:
 - 51 political and stakeholder meetings
 - five presentations
 - a two-day public exhibition and an evening public exhibition
 - stakeholder workshop
 - distribution of a total of 11,906 information leaflets
 - an extensive media campaign, and
 - the establishment of a community engagement group
- 2.9. The primary stage of consultation commenced in mid-2012, with the first exhibition being staged in November 2012. The application submission identifies that following the primary stage of consultation there was widespread support for the redevelopment of the site (91% of respondents) with over 100 people registering for further information with regard to the affordable housing, compared with only 19 opposing the inclusion of any housing on the site at all. Support was also received for the inclusion of the employment hub, with 68 people registering for further information at an early stage.

- 2.10. Respondents also wished to see the nature conservation, sports and recreation and public transport / highway improvements as key benefits from any redevelopment.
- 2.11. The second stage of consultation included an exhibition held in November 2013, which received consistent positive feedback for the redevelopment of the site with 93% of respondents in support.
- 2.12. Amendments made to the proposals as a result of the consultation process include:
- The addition of a school and health care facilities which were not included in the first iteration of the plans
 - Substantial highways improvements
 - Improved facilities and additional space for Allscott Sports & Social Club
 - The addition of a business hub
 - The provision of a number of community allotments

3. SITE AND SURROUNDINGS

- 3.1. The site lies within the parish of Wrockwardine and is located to the north west of Telford, adjacent to the B4394 Station Road (also known as Shawbirch Road). The nearest settlement is Allscott which is approximately 250 metres to the south west, with the site also being 1.3km North West of Wrockwardine and 4.5km west of Wellington.
- 3.2. The application site comprises the former Sugar Beet Plant and adjacent associated land covering a total of 36.6ha. The site itself is generally flat, bisected by Station Road on an east-west axis, and can be divided into 4 distinct areas:
- 3.3. Area 1: Approximately 9.3ha located to the north west of the application site and to the north of Station Road; this comprises of grassland currently used by the Allscott Sports & Social Club in the form of two cricket grounds and a football pitch, with associated changing facilities, cricket nets and car park. The area also includes some arable and unused ground (occasional parking) accessed from Station Road.
- 3.4. Area 2: Approximately 20.6ha located to the south of Station Road, this part of the site sits between the road at the north of the areas boundary and the Wolverhampton to Shrewsbury railway line to the south. The majority of the buildings and plant were located within this parcel of land; it contained large industrial buildings and silos which were in excess of 160ft tall. All buildings within the site have now been removed with the majority of the site now comprising hard standing; however there is one parcel of agricultural land to the north east which is fenced off from the wider area. The Sports and Social Club is sited within the northwest corner of this area and is accompanied by a bowling green. Access to the site is via two priority controlled junctions that

have been specifically designed for the significant HGV traffic flows generated by the previous use, one at the west of the site allowing continued access to the Sports and Social Club and the second to the east. A central access point is evident on site however this was closed in 1990.

- 3.5. Area 3: Approximately 5.9ha of agricultural land located at the south of Station Road and to the east of the main factory site; it is separated from area 2 by a bridleway that runs from Station Road to the railway line to the south.
- 3.6. Area 4: Approximately 0.8ha to the north of Station Road and far east of area 1, separated by an industrial unit outside of the applicants control. This area comprises of arable land accessed from an agricultural track from Station Road at the south east corner of the site.
- 3.7. The areas have associate scrub land across the site, and whilst banks of trees are noted at the peripheries of the site, particularly bordering the railway line and lining Station Road, there are no significant trees that are protected.
- 3.8. To the far north of the application site the River Tern and the Allscott Settling Ponds Site of Special Scientific Interest (SSSI) can be found. The SSSI is dominated by lagoons reedbeds and scrub located either side of the River Tern. A former landfill is located adjacent to the north western boundary of area 1, which was used privately by British sugar themselves but it is now closed. Bordering the application site to the west of area 1 is an industrial unit occupied by a horticultural supply company.
- 3.9. To the west of area 2 is 'The Duck' public house with kennels being located further west. A small rural business park is located to the north of Station Road between areas 1 &4. A number of residential units are apparent to the north of Station Road, to the east of area 4 and north of area 2. 'The Plough Inn' and a Haulage yard are located to the north east of the site at Cross Green junction in addition to a small cluster of residential units leading to the village of Allscott to the far northeast via Rushmoor Lane. A further haulage yard (previously Allscott Depot) abuts the eastern boundary of area 3. Arable and agricultural fields are located to the far south of the site separated by the railway line, these have a number of footpaths meandering around the area, and include a level crossing over the railway between areas 2 &3. Situated some 2km to the far south of the site is the Wrekin hill which is clearly visible from the site and protected through AONB designation.

4. SUMMARISED CONSULTATIONS

Standard consultation responses

4.1. Wrockwardine Parish Council: Object

Recognise the need for an EIA, and the probable impact on existing M54 junction, in particular with other developments in Wellington, and will have an adverse effect on classified and unclassified roads and the community as a whole. Comments from the Highways agency with regard to the recent

applications in the area are conflicting, with one having an impact and this having none.

- 4.2. Note there is considerable local opposition to this application which would, if successful, create a village outside the present boundary of the built up area of the Borough; effectively extending the present urban development of Telford well into the rural countryside.
- 4.3. The borough Council has, up until quite recently, insisted that the Local Plan (Local Development Framework [LDF], supported by Wrekin Local Plan “saved” policies were “current”. Due to pressure from Central Government this is no longer appears to be the case. Wrekin Local Plan “saved” policies H9, H10 and H18 are quite clear that there should be no such propose development in Allscott. However it would seem that the National Planning and Policy Framework (NPPF) now overrules the LDF. It would seem that a direction from central government now excludes housing numbers where planning has been passed but development has not yet taken place. The Parish Council is at a loss to understand why this should affect what is in effect a rural area when there is clearly existing land available in the urban environment. The Parish Council feels that Local Government should, where practicable, question such directives from Central Government.
- 4.4. Assuming the NPPF is accepted as the overriding document then it still has to be proved that the development is sustainable. Northern Trust has set great store by its insistence that the development is sustainable: The Parish Council has not been convinced that this is the case. To be truly sustainable the site should be sustainable as far as possible within its own environs: it should have little effect on its surrounding area, limit carbon dioxide emissions and provide an environment where people can work and play and if travel is necessary then this should be by public transport?
- 4.5. There is a proposal for a primary school. Is this really achievable bearing in mind the cost which would come from local finances? What certainty is there that a school is practical bearing in mind the likely number of pupils; what happens when those pupils reach the age of 11 year as the nearest secondary and tertiary education facilities are over 4 miles away?
- 4.6. 470 homes would equate to at around 800/900 adult residents. A sustainable development should provide jobs for the vast majority. This will not happen in the rural area of Allscott. Despite the developer’s comments about a business hub and possible retail developments very few jobs will be created. The vast majority of the residents of this estate will travel to work outside the development.
- 4.7. Wrockwardine Parish Council is of the view that a local shop on an estate of less than 500 houses will not be viable and would remain empty. It is unlikely that the Post Office would be provided; we doubt that in the present economic climate Post Office Counters Limited would approve post office facilities so that anyone requiring such services (parcel deliveries from home businesses in particular) would need to travel. We are informed that that the shopkeepers in

Admaston would fear for their own business if revenue dropped because of this development. In any event the residents will still travel for the weekly shop to the supermarkets in Wellington and Telford. Again more travel by car. In addition, the nature of these houses, large and prestigious, would indicate that residents would be most likely to shop on-line and have their weekly grocery shop delivered to them from the large supermarkets thus creating additional incoming traffic – again, this is contrary to the sustainability argument.

- 4.8. A similar situation arises with the suggestion of a pharmacy attached to a health centre. Recent Government announcements indicate the closure of rural GP practices due to cuts in Government funding. In present circumstances this proposal would appear to be a non-starter and then of course the residents would have to travel some three miles to the nearest surgery and pharmacy putting ever increasing pressure on rural roads.
- 4.9. The proposal indicates the jobs that will be created during the construction phase and how this could provide work for 120 residents of Shropshire. Once again this information has been overtaken by events. The construction industry is now once again in full flow thanks to the three Government housing schemes and latest reports indicate that there is a shortage of workers in that industry.
- 4.10. It is the understanding of WPC that the area is technically described as a flood plain. Little is stated in the planning application about the Sustainable Urban Drainage System. Many of the rural roads have suffered flooding year on year which indicates that ground water levels in winter are high. Natural springs are also common throughout the area. In regarding such circumstances what concern is there about “back-flooding” a phenomena that has occurred in other parts of the country this year which have never experienced flooding from natural watercourses? Admaston has also experienced severe back-flooding problems in the past.
- 4.11. The applicant expresses confidence in soil contamination. Has a full and independent survey been undertaken? One such application has been stopped because of leaching into the soil of a chemical used in the processing of beet into sugar. In addition BSC at one time sold top soil obtained from washing beet. That soil, which had been sprayed with Lindane (which became a banned chemical), was stored on part of the site. How confident is the council that the site is safe?
- 4.12. The developers indicate a range of travel plan initiatives. The only form of public transport is the bus. The developers have apparently agreed to subsidise this for two years but what will happen then? The Borough are currently reviewing bus subsidies with the threat that some will have to be cut. In Admaston when a large development took place the Local Plan indicated there had to be a 20 minute bus service. Despite further large developments in Bratton and Shawbirch the bus service has been cut, firstly to 30 minutes and now to hourly. The law of diminishing returns applies and it will also happen if the development in Allscott takes place. Once again more pressure from car users on local and unsuitable roads. Whilst the Railway runs alongside the site it would seem there is little possibility of providing a halt despite the fact that the

former Walcot station is close by. When the LDF was being prepared representatives of the Parish attended many consultation meetings and tried to instigate thought on a metro system from Shrewsbury to Wolverhampton and the opening of all the old halts/stations providing an alternative transport system throughout the Borough. Wrockwardine Parish Council also obtained a grant for a feasibility study to re-open Admaston Station but such a possibility was also ruled out because of prohibitive costs and because the timetables would not allow traffic into Birmingham. Cycling and walking from the proposed development site would be extremely dangerous.

- 4.13. The developers discuss the history of the site and ABF. There is no doubt that the latter were efficient and considerate employers. However they could afford to be bearing in mind the vast profits being made through subsidies. Once those subsidies came under threat the company had no compunction in closing 14 of its 18 factories with apparently no concerns for its workers or the farming communities supplying the beet. The company was also quick to flatten the factory buildings to save on Business Rates. It is now seeking to capitalise on the asset to the detriment of the area as a whole.
- 4.14. Sustainability was broached at the beginning of the applicants report. The applicants argument appears to highlight the fact that because the NPPF is wide open to interpretation that the presumption of development in the rural area is satisfactory. Whilst PPG13 and PPG7 are now defunct we would draw attention to the true aims of sustainability. PPG 13 1.8. Locate major generators of travel demand in existing centres which are highly accessible by means other than private car. This condition does not come near to applying to the Allscott site. PPG7. An isolated new residential development in the countryside may be exceptionally justified if it provides live-work opportunities that will be integrated and a benefit to the surrounding community if it can meet outstanding high standards of sustainability.
- 4.15. Wrockwardine Parish Council does not think those “exceptionally high standards for the surrounding community” will be met if this application succeeds.
- 4.16. Network Rail has objected to the proposed development expressing concern over the safety aspects of an unmanned level crossing and the proximity of the proposed school site to the railway line. In addition we note that Telford & Wrekin Council’s Ecology Department objected to the scheme.
- 4.17. “Promoting Sustainable Transport, Paragraph 32 states that a transport statement or assessment should support planning applications where the development will generate significant amounts of movement. This should take account of opportunities for sustainable transport modes, safe and suitable access to the site for all people, and improvements to the transport network that will cost effectively limit the significant impacts of the development. Proposals should only be refused where the residual cumulative impacts of development on transport are severe. No transport statement or assessment has been submitted with the application. This will be needed in order to determine what the transport impacts of the proposed development will be.

4.18. Paragraph 35 states that developments should be located and designed where practical to:

- Accommodate efficient delivery of goods and supplies. This is a HGV route with several existing businesses accessing and using the B4394. Appropriate measures will need to be put in place to ensure that new traffic associated with the proposed development does not affect the operations of these businesses.
- Give priority to pedestrian and cycle movements. Consideration should be given as to how pedestrians and cyclists will be able to cross or travel along the B4394 to access the school and the playing pitches to the north west.
- Have high access to quality public transport facilities. The site is in a rural location with limited connectivity to other service centres for non-car users. Consideration will need to be given to the potential for better public transport routes, for example to and from Wellington. Comments should be sought from transport officers in regard to this.

4.19. In addition, paragraph 36 states that all developments which generate significant amounts of movement should be required to provide a Travel Plan. This is also not currently available but should be submitted by the applicants. A travel plan should be a 'living' document which sets out creative and innovative ways to encourage sustainable travel to, from and around the site, and a demonstration of the enduring viability of the development."

4.20. Requests for section 106 agreement in the event that the application is approved for the following:

- Relief Road
- 40 M.P.H. at entrance to the Parish at Walcott Bridge
- 30 M.P.H. immediately adjacent to the site
- 40 M.P.H. from site to Admaston.
- Pinch point traffic lights at Railway Bridge at Allscott.
- Series of Table Tops Admaston (east and west, by the crossing and at Admaston House)
- The pedestrian crossing in Admaston; high intensity LED lights on the Belisha Beacon.
- Series of Table Tops in Wrockwardine
- Chicanes Allscott/Rushmoor Lane. Pinch point between the old and new entrances to the sewage works.
- Post development speed limit for Rushmoor Lane
- Weight limit for Rushmoor Lane
- Alteration to junction at Plough Inn
- Adequate car parking provision for parents at the school
- Footpath from Wrockwardine to Admaston
- An expectation that existing public rights of way from the new development will be marked and maintained.
- Traffic management should begin immediately the development is started, not upon completion of 25% of the development.

- Aggregate deliveries should come to the site by rail to existing sidings otherwise, vehicles would have to access the site via Rushmoor Lane; all roads to the site are unsuitable.
- Gateway features throughout the Parish.
- Alteration to the junction site line at Longdon Halt to make safer.
- Wrockwardine Parish Council is a statutory lighting authority – all street lighting in the proposed development to be handed to the Parish Council with a suitable maintenance bounty.
- all street lighting in the proposed development to be handed to the Parish Council with a suitable maintenance bounty, as the Parish is a statutory lighting authority

4.21. The Borough Council will receive a substantial sum of money in Housing Grant from the Government. The Borough should consult with the Parish Council and the Community to ensure that the community most affected by the development benefits appropriately. There needs to be a demonstrable gain from the Housing Grant passed to the Parish because it is the parish which will be left forever to deal with the consequences of the development. The Borough needs to be clear in how it intends to deal with this receipt.

4.22. Rodington Parish Council: Object

Due to strains on the current infrastructure; the roads approaching the development are unclassified and are all of a very poor standards. The development will increase traffic throughout the whole area as cars will have to travel through neighbouring parishes to get to the development. The Parish Council would like to propose that a train station with parking facilities is reinstated on the development to help traffic problems.

4.23. Wellington Town Council: Comment

The Council has no objection in principle to the principle of development however concerns were expressed as to whether the current infrastructure and roads could accommodate the required extra traffic to and from the proposed village development. Questioned as to whether a new access could be introduced which would enable easier access being obtained in the area which would extend from Admaston to an area to the north of the development site.

4.24. Waters Upton Parish Council: Support subject to conditions:

Waters Upton Parish Council has no objections to this proposal for a brown field site. However, there are concerns regarding the access. Also, the site will affect The Shropshire Way, please can you inform us of your plans to protect this?

4.25. Withington Parish Council: Object

On the grounds of social, economic, environmental and sustainability grounds:

- 4.26. Social: The proposed development does not meet any locally identified need for housing from the local villages in this location, therefore a group of “newcomers”, isolated by the need to travel to work. Apart from sports there is nothing to bring real social benefit to the proposed development and surrounding area. The proposed school would only benefit a narrow age range group of site and local residents.
- 4.27. Significant personal safety issues will ensue as residents would need to cross the already busy and fast road outside the proposed housing area to reach the sport and recreation area.
- 4.28. Economic: There are no immediate work opportunities in the vicinity (apart from a proposed small scale business hub); therefore most residents would have to travel to work or for any other facilities. The only option to reach work places such as Telford, i54 and Shrewsbury would be by the existing fragile road network of rural roads and lanes. Improving this would be a drain on depleted council and other resources. The amount set aside for road measures would not go anywhere near to meeting the true cost. A small scale shop as planned would struggle to be viable without being a great and significant pull to residents in the surrounding villages with suitable additional parking provision.- not seen on the plans.
- 4.29. Environmental: There will be a massive influx of vehicular traffic and its consequent air and noise pollution. There could easily be 900 or more cars based at the site.
- 4.30. There is no mention of re-instating the railway station at Walcot or using the adjacent railworks at the site. This would bring a great environmental improvement, provide ongoing benefit to the area, and encourage the enmeshing of the development into the community as well as relieving the well-known parking pressures at Wellington station. All the access routes have limitations in the way of restricted bridges, sharp and dangerous bends, and several are narrow lanes, passing through quiet villages. There are already significant problems with the modern large farm vehicles, and heavy goods vehicles competing with walkers, horse riders and cyclists. National Cycle route 81 passes through the area. The potential damage to the peace and tranquillity of the area, including the conservation area of Wrockwardine, is a serious cause for concern.
- 4.31. Sustainability: The proposed short-term bus service may not be sustainable if it does not address the work and social needs of residents in all their possible work and social locations as well as adequately serve the surrounding area. The need to travel distances to work on already busy roads including M54 and M6 may make living at the proposed site unsustainable in the long term.
- 4.32. Furthermore there are already plans in the pipeline for two further considerable housing developments in the western area of the small market town of Wellington, (370 and 77), which would greatly magnify the impact of many of the points above; and therefore requests a public enquiry into these proposed

developments, so that all the issues can be considered more fully and involve contiguous areas which will be greatly affected.

4.33. Development Plans: Support subject to conditions

The closure of the sugar beet factory was announced in the very late stages of preparing the Core Strategy and so the long term future of the site is not currently considered within Telford & Wrekin's development plan. The Core Strategy Inspectors Report recognised this and stated that "*...the future of the site would be decided through the application of national planning policy...*" (paragraph 3.68, Telford & Wrekin Core Strategy Inspectors Report). Reference is made to a statement which identifies that the borough does not currently have a five year land supply.

4.34. The primary consideration for this planning application will be to determine whether or not it delivers social, economic and environmental gains jointly and simultaneously and that there are no adverse impacts that would outweigh its benefits, therefore achieving sustainable development.

4.35. The site is brownfield, currently lying vacant following the demolition of the sugar beet factory buildings some years ago. It is currently not providing any activity or use that is of social, economic or environmental benefit to the local area or the borough as a whole. The commercial uses proposed (A1, A2, A3, A5 and B1) will be small scale in nature and will primarily be catering for the needs of the new community as well as the nearby existing rural community. As established by paragraph 25, a sequential assessment will not be required and there is no requirement for an impact test of these uses on existing centres as the proposed floorspace falls well below the default threshold of 2,500 square metres set by paragraph 26. The applicants do however need to submit a transport assessment/statement and travel plan, as required by paragraphs 32 and 36, as this development will generate a high number of vehicle movements.

4.36. The potential impacts of the proposed development on the nearby SSSI and wider biodiversity in the area will need to be determined from the ecological information that the applicants have submitted and also through discussion with the council's ecological officers.

4.37. Overall, this large vacant brownfield site presents one of the best opportunities for a development in the rural west of the borough to meet local housing, social and economic needs. The commercial and community services provided within the development will help to support both the existing and new communities, with the potential that new residents will support existing services in nearby villages.

4.38. Highways: Support subject to conditions:

Having reviewed both the TA data and EIA no objections are raised subject to conditions and S106 contributions. These relate to:

- 1) A full scheme of highways improvement works to the B4393 in the vicinity of the site, including:

- Suitably located gateway features at either end of the scheme
 - Raised tables and alternative surface treatments at junction and access locations
 - Raised pedestrian crossings
 - Footway/cycleway provision
 - Appropriate directional signing strategy
 - General carriageway width no wider than 6m
 - 30mph speed limit with the associated signing and lining
- 2) A full scheme of traffic management highway works for the village of Wrockwardine, including those associated highway routes into the village.
 - 3) A full scheme of traffic management highway works for Station Road, Admaston
 - 4) Construction highway details and residential layout
 - 5) Travel Plan
 - 6) A construction traffic management plan

4.39. S106 contributions requested are as follows:

- 1) £500,000 to facilitate improved bus linkages, including school travel, between the site and Wellington. 50% of the monies to be paid upon commencement of occupation and the additional 50% to be paid upon 50% occupation.
- 2) £137,100 towards a traffic signal junction improvement scheme at the B5061 Roman Road/Holyhead Road Junction. Monies to be payable prior to the commencement of development. The contribution is sought to form part of an overall strategy to fund an improvement scheme for this junction costed at £457,000. The figure of £137,100 is a calculated proportioned amount representative of the traffic impact this site has as part of the overall currently accounted for future development and background traffic growth to year 2023 in the area through this junction.
- 3) £99,920 towards a roundabout junction improvement scheme at A442/A5223/B5063 Shawbirch Roundabout. Monies to be payable prior to the commencement of development. The contribution is sought to form part of an overall strategy to fund an improvement scheme for this junction costed at £1,500,000. The figure of £99,920 is a calculated proportioned amount representative of the traffic impact this site has as part of the overall currently accounted for future development and background traffic growth to year 2035 in the area through this junction.
- 4) £25,000 towards Public Rights of Way Improvements in the vicinity of the site. Monies to be payable prior to the residential occupation of the site.
- 5) £5,000 towards Travel Plan monitoring and support

4.40. Education: Support subject to conditions:

The problem of finding school places for any children in a new village at Allscott would be exacerbated by its relative isolation. If no school was to be provided there, then any children would have to be transported some distance to schools in Wellington. An additional difficulty is that the only two schools in Wellington, within 2 miles of the Allscott site are already projected to have a shortfall in capacity in the future even without additional numbers from any new housing. Normally the proposal would generate a requirement of £1,154,873 when assessed through modelling.

4.41. However In order to accommodate the number of primary aged pupils likely to be produced by a development of 500/550 houses a 5 class school would need to be built. This would be on the village school model with an entry of 20 in Key Stage one year groups and 24 in key stage two year groups and would give 3x 20 in key stage 1 = 2 classes of 30, and 4 x 24 in key stage 2 = 3 classes of 32. A total of 156 pupil's altogether; Education subsequently request the provision of £4,200,000 in addition to land transfer to accommodate this. The land should form circa 1ha, and will include a playing field for a school of this size. A building footprint would form circa 1042m².

4.42. With regard to secondary contributions the proposal would generate a contribution requirement of £690,225 towards extending the Charlton School; in addition the local authority will be required to transport all secondary school pupils to their secondary school as the majority of them will live more than three miles away from the nearest secondary school. At current costs a 55 seater bus is £41,800 p/a and a 20 seater bus is £28,500 p/a and consequently Education would also request a sum of £350,000 towards the cost of transporting the secondary pupils to their school for the first 5 years.

4.43. Sustainability: Comment:

The Sustainability Statement states *'the detailed design of the proposed scheme can assessed against a range of sustainability standards, including the nationally recognised CSH and BREEAM. It is expected that the combination of measures proposed in this Sustainability Statement would ensure that the proposed scheme achieves at least Level 4 of the CSH and BREEAM 'Very Good' for non-residential elements (or future equivalents, recognising current uncertainties regarding the future of the CSH).*

4.44. Due to the uncertainty surrounding CSH it is recommended that the scheme is designed and built to BREEAM Communities 2012 'Excellent'. The accreditation covers both the residential and non-residential elements of the scheme.

4.45. The development should be completed using BREEAM Communities 2012:

- BREEAM assessments for the scheme should be undertaken at the design stage and also at post-construction review.

- The development should be required to meet BREEAM Communities 2012 'Excellent'. Please note that BREEAM is updated regularly. The developer should refer to the latest version or the prevailing sustainable standards - whichever is the higher at the time of submission of reserved matters.
- Developers and designers should involve a BREEAM assessor as early as possible in the design process, to ensure the rating is achieved in a cost effective manner.

4.46. Drainage: Support subject to conditions

Surface water: The proposed method of draining the site set out in the FRA is acceptable in principal, and the use of swales and open attenuation features is welcomed. However, a detailed drainage design will be required once the final design for the site is available. At this point rates of runoff should be re-assessed to establish the final rate of discharge which should be 30% less than existing, and a microdrainage model should be submitted for approval.

4.47. Watercourses: Whilst the FRA has identified that watercourse C will be de-culverted as soon as levels allow, the information relating to watercourse D is not clear. This feature should also be de-culverted as soon as levels allow. Details on the route of these watercourses through the site, the location and condition of downstream outfalls, along with an assessment of any receiving infrastructure (culverts/channels) should be provided.

4.48. Parks and Open Spaces: Comment:

This is a significant residential application which would ordinarily require Play provision to meet the Fields In Trust standard to meet the needs arising from the development. The proposed provision currently does not meet this standard. However, there is a considerable amount of Public Open Space being provided and an investment into sports provision which must be taken into consideration. The proposed play provision is highlighted as a play area and Multi Use Games Area. This is just not acceptable to meet the needs for this development and should ideally be placed more central to the development. However, given the locations of the Public Open Space across the development this may provide informal activity for younger children in these areas. Therefore, in order to meet the needs arising from the development the play provision needs to be a full Neighbourhood Equipped Area for Play (NEAP). This may have been included in the illustrative master plan but the wheeled sport element is not specifically mentioned.

4.49. There appears to be no phasing plan which mentions / highlights when the play area (NEAP) is to be provided; and it is requested that this be included in the recommendations and it is suggested that it is completed as early in the development as is possible and certainly before the occupation of the 200th dwelling. Officers concur with Sport England's comments in relation to ensuring the proposed facilities are operational before the loss of the existing

facilities. Request condition to require developers not to sell any overlooking properties to the proposed play provision until the play provision has been built. This is to ensure prospective purchasers are fully aware of the play provision in proximity to these properties at the time of purchase. This would apply to very few properties as identified on the illustrative masterplan.

- 4.50. There are significant amounts of proposed (High Quality) public open space within this application. The applicant needs to provide a detailed management plan (including the long term financial arrangements) for the long term maintenance of the open space proposed on site. The long term management plan needs to be conditioned as part of any approval. This has not been included with this application apart from a short paragraph which was not specific in the Heads of Terms which stated the council may be requested to manage some open space and suds. Clarification needs to be provided as to how all this POS is to be managed. This issue may have a knock on effect upon the proposed rapid delivery time for the S106 and therefore the planning performance agreement, as clarity on what is to be included in adopted areas and where can affect the wording in the document. P & OS are happy to work with the applicant to identify ways of reducing maintenance costs which can be as simple as for example changing the surfacing to reduce numbers of shrubs/ trees/ and higher cost items proposed.
- 4.51. In regards to the Heads Of Terms, query whether the sports facilities transfer to the sports club should also be included in this. If not then there should be a condition relating to the transfer of this land to the sports club.
- 4.52. There is a proposed school site without it appears much Playing Field. Is this big enough for the school and their associated playing fields or are they anticipating using the recreation space of the sports and social club? Confirmation is required and whether the sports club are aware of this and who is maintaining these pitches? Please note that often schools pitches are frequently used to their capacity or beyond making them beyond the sustainable use for community unless very well constructed and well maintained. Also, if proposed for use by the school they are a considerable distance from the school. Concur with Sport England's comments in relation to ensuring the proposed facilities are of a quality suitable to sustain the expected use.
- 4.53. In regards to the sports pitches it is noted the existing sports club support the application, however, P & OS would like to clarify in more detail exactly what is to be done and by who so this can be highlighted, considered, and approved as part of this application. It will be anticipated that this includes the building of the replacement pavilion / access / car parks and bowling greens and creation of new cricket and football pitch. However, the application does not highlight whether the existing facilities are to be improved, what quality these facilities are to be or whether they are to do / pay for this work themselves or will be obligating the sports club (or working in partnership) to do this within the lease agreement. Partnership working is not necessarily a problem but needs to be made clear as it will be a natural assumption that this would all be provided by

the developer. Therefore, condition 1 of Sport England needs to include this information to clarify.

4.54. Appreciate the following comments may relate to more detail. However, request them to both assist the developer to identify viability and also to assist in assessing cost / impact upon maintenance. Require confirmation of what the sculpture is, and if the allotments are to be fenced and have a water supply?

4.55. Sport and Leisure: Support subject to conditions:

Leisure Services would support the application and endorse the comments and conditions from both Parks and Open Spaces and Sport England. In addition, please advise who will own the new pitches and maintain them. Should this application be approved, Leisure Services would also like to impose the following planning condition: requesting a community use agreement prepared in consultation with the Local Authority Leisure Services and Sport England which shall apply to the new pitches and sports facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with partners considers necessary in order to secure the effective community use of the facilities.

4.56. Ecology: Support subject to conditions:

Originally objected in the absence of information relating to the impacts upon badgers and timing of the provision of ecological mitigation in the eco park area. Following a request for additional information and discussions around the two recommendations made in the ecology aspects of the ES, this was removed, and is now supported subject to conditions.

4.57. None of the habitats on the site are priority habitats and the hedgerows on the site are not 'important' under The Hedgerow Regulations. The Allscott Settling Pools SSSI is due north of the proposed development site but is hydrologically separate from the proposed development and is in third party private ownership. There will be no physical loss or damage to Allscott Settling Pools SSSI. An Ecological Area is shown in the north of area 1 which is intended to provide ground nesting bird habitat and also to buffer the SSSI from any impacts from the development.

4.58. No Great Crested Newts were recorded during the presence/absence surveys carried out, nor were any reptiles were recorded by TEP in 2012.

4.59. A single badger sett was recorded on the site which could potentially be damaged or destroyed by the proposed works. The badger report by TEP sets out a number of options depending on whether the sett is intended to be protected or destroyed under licence with an artificial sett provided on the site and recommend this is conditioned.

- 4.60. 61 bird species were recorded on the site including 2 Schedule 1 species (Barn Owl and Little Ringed Plover), 1 species of conservation priority (Lapwing) and one bird of conservation concern (Oystercatcher) by TEP in 2012. There will be 0.5ha of suitable habitat created in the eco park (Area 1) for these species and other ground nesting species. The area will comprise bare ground and gravels and will be managed in the long term to maintain the suitability of the habitat. The new provision will be in place to ensure that there is no breeding season where the birds do not have suitable habitat on the site.
- 4.61. There are no trees with significant bat roosting potential on the site. Some trees with low potential and 4 mature trees offsite with moderate potential which will not be impacted.
- 4.62. No suitable habitat for water vole or otter was recorded on the site.
- 4.63. Concern is raised with regard to the timescale for the creation of the eco park area with its breeding bird habitats as being 'in advance of phase 3 works on the recreational facilities in area 1 and prior to the occupation of properties in areas 2 and 3.' The timescale is not appropriate. The Little Ringed Plover habitat in the eco park will need to be in place prior to the destruction of the existing nesting sites in area 2. Although TEP state that this work could be done following the demolition of the existing and prior to the next breeding season they are not satisfied with that approach and the construction of these habitats should be done in advance of the destruction of the existing. Further discussions with the developer confirms that the proposed Little Ringed Plover Habitat will be created in advance of the destruction of the pad currently used for nesting and requests that this be covered by a condition.
- 4.64. The Landscape and Biodiversity Management Plan sets out the management proposals for the landscaping proposals, the eco park and the long term (25 year) management of these areas. It is considered this is an excellent initial draft setting out how the tree planting would be carried out, how existing trees would be retained, how proposed new hedgerows would be planted and managed, how woodland edge habitats would be established, managed and monitored, how meadows and amenity grassland areas would be managed, how the ecological enhancement zone (eco park) would be established, monitored and managed and how the Little Ringed Plover habitat would be established and maintained. Recommend that the first submission of reserved matters should include an updated version of the Landscape and Biodiversity Management Plan based on this 2013 version but incorporating any additional details about landscaping and habitat creation which emerge as part of the more detailed design of the development. Documents suggest a management company will have responsibility for the land, however this could be adopted subject to a suitable commuted sum.
- 4.65. Subsequently conditions are recommended with regard to Ecological Method Statement, lighting plan, 29 woodcrete bat boxes, 30 woodcrete artificial nests, Pollution Prevention and Construction Management Plan, updated version of the Landscape and Biodiversity Management Plan, updated information relating

to timescales for provision of ecological mitigation within the Ecology Park, updated badger survey.

4.66. Arboriculture: Comment:

No objections to the proposal however it must be noted that the tree survey and constraints report submitted with this application has been carried out with regard to BS: 5837 (2005) which was withdrawn from use on the 30th of April 2012; all future submitted arboricultural information will be required to be carried with regard to the current British Standard: 5837 (2012).

4.67. Section 5.19 of the tree survey recommends a minimum building standoff 8 metres from the canopy edge of the existing woodlands on the southern and eastern boundaries, a recommendation which is fully endorsed by this department. The standoff will go some way to abate the issues raised in Section 5.18 of the report, which describes the conflicts between people and maturing trees.

4.68. If consent is afforded to the proposal the following conditions are recommended: Landscaping Design, plans to include proposed & existing functional services above and below ground; planting plans to include species, sizes, numbers and planting pit details; Tree retention, a number of trees have been highlighted for retention by the tree survey including T10, T23 G5 and G6. T23 is a 12 metre tall Oak tree which has been categorised as A with regard to the survey. Given that this is the only **A** tree on site, the proposed scheme should be designed around it making it a feature of the area. G32 has been classified as Category B with regard to the BS: 5837 survey this group of trees offers some of the greatest amenity value on the site. They highly visible from the B4394 however, it is not clear if they are to be retained within the scheme. Once the design has been finalised an Arboricultural Implication Assessment will be required to include a tree protection and removal plan, possible future sunlight and shading issues with retained trees and newly built houses, level changes adjacent to retained trees and the proposed location for storage of materials within the site.

4.69. Environmental Health - Contaminated Land: Support subject to conditions

Having examined the EIA chapter and the associated SI reports from Wardell Armstrong, agree with their conclusions, which requires some further work. This includes further investigatory work on some areas of the site, and delineating some asbestos hotspots amongst others (all the further work is detailed in the EIA chapter).

The consultants also use the former SGV for Lead which this Council does not accept; requests the values to be reassessed in light of the recently published C4SLs for Lead available on the DEFRA website. Subsequently raises no object subject to a land contamination condition.

4.70. Environmental Health – Pollution Control: Support subject to conditions

The main pollutant concern for the site is noise; Air quality issues associated with the development are considered acceptable though the modelling carried out will need to be validated. In that regard it is requested that a sum of £500/year for 10 years is obtained to facilitate monitoring of NOx within the area and incorporation of that data into the Council's Air Quality reporting framework.

4.71. The general observations for noise as follows:

The Hyder Consulting report identifies the principle noise sources to be road traffic (both from the distant motorway and adjacent Shawburch Road B4394, as well as noise from the main rail line to the south of the site. The Hyder report considers that the majority of the site falls into a category where nominal control measures to prevent disturbance from the noise sources are required, namely;

- appropriate location of proposed dwellings – a 12-15m standoff zone recommended, as well as location of non noise sensitive land uses nearer to the noise sources
- orientation of buildings to prevent noise sensitive rooms facing noise sources
- suitable acoustic glazing provision
- suitable barriers and boundary treatments

4.72. Specifically the report also recommends a more details analysis of road traffic noise to include that generated by the site. This would need to be addressed as part of any detailed or reserved matters applications. The Report considers that, 'good' standards acoustically should be achieved for the development. The Report also notes that any potential noise sources on the site (fans/pumps or others depending on what was required) would need to be dealt with the reserved matters applications.

4.73. In summary the Hyder Consulting Report notes that the development could be made an acceptable land use providing some or all of the above measures are put in place. On that basis does not object subject to conditions requiring noise mitigation scheme including:

- a) Location and orientation of noise sensitive receptors
- b) Location, orientation, specification and details of any noise barriers
- c) Noise insulation and noise protection schemes to noise sensitive receptors (specifications and other details as appropriate)
- d) Identification and mitigation of noise sources introduced into the development specification and mitigation as appropriate).
- e) And a noise assessment (and where necessary) mitigation relating to any commercial or industrial development, or fixed plant or machinery, within the site.

4.74. Built Heritage: Comment

No objections in principle to the development, the site lies some way to the NW of Wrockwardine, which is a designated Conservation Area. Views out of Wrockwardine to the North are very good, giving broad vistas to the lower lying

land and emphasizing the raised position of the site and contribute positively to the setting of the Conservation Area; of the opinion that the distance between Wrockwardine and the proposed settlement is sufficient not to directly and detrimentally affect the setting, being located the other side of the Wellington Shrewsbury rail line. However, the density here is quite large and quite at odds with the scattered settlements typical of the area; note that areas of amenity have been provided but these appear to be on the fringes of the development which results in a concentration of housing in an almost urban form/density, and suggest this is broken up more. The concern here is for setting any precedent for any future development proposal of similar density in the area that would see further encroachment on the setting of Wrockwardine Conservation Area. Similarly request that the height of the houses in the development is kept relatively modest, a general avoidance of 2 1/2 and 3 storey development, to blend in with more of the local flavour. The site does not directly affect any listed buildings though there are a scatter of such in the local area, including Walcot Bridge which is quite sensitive, and can see no reason why there should be any increase in traffic over this route as it does not lead to any urban centres directly, but this should be borne in mind, it has only recently been repaired from a previous vehicular strike.

4.75. Archaeology: Comment

The proposed development site lies within an area that is relatively rich in archaeological remains of the prehistoric to Roman periods. Cropmarks (Shropshire Historic Environment Record [HER] No. 02242) representing the remains of a circular single-ditched enclosure (possibly a settlement of Bronze Age to Iron Age date) and ring ditches (the remains of Bronze Age burial sites) lie just to the west of the proposed development site. A flint implement (HER 01373) of prehistoric date was found in 1914 125m to the south of the eastern part of the development site, and a cropmark enclosure (HER 04939) possibly a farmstead settlement of late Iron Age to Roman date also lies 70m to the south of the eastern part of the development site. There is therefore a possibility that those parts of the proposed development site that lie outside the footprint of the former industrial works have a medium to high potential for archaeological remains of the prehistoric to Roman periods. In view of this and in relation to Paragraphs 128 to 135 of the NPPF, it is recommended that an archaeological evaluation of the application site be undertaken prior to the planning application being determined. The aim of this evaluation would be to locate and assess the extent, survival and significance of any archaeological remains within the proposed development site. This in turn would enable an informed planning decision to be made regarding the archaeological implications of the proposed development and any appropriate archaeological action or mitigation. There should be no determination of the application until the archaeological evaluation has been satisfactorily completed and reported

on; this was subsequently undertaken and in light of this requests a condition for a programme of archaeological work

4.76. English Heritage: No comment

4.77. Natural England: Comment

This application is adjacent to the Allscott Settling Ponds Site of Special Scientific Interest (SSSI). This SSSI previously formed part of the sugar beet factory ownership and was fed by water used as a by-product of the factory process; the ponds are now within a new ownership.

4.78. Water: Since the closure of the sugar beet factory, the primary source of water entering the settling ponds has ceased creating the potential for a decline in the condition of the SSSI. While Natural England does not believe that the proposal as it stands will cause damage to the SSSI through changes to hydrology in the area, the applicant may have the ability through reconsidering their drainage options to perhaps allow storm / surface water runoff from the proposed development to enter the SSSI. This would require discussion with the new land owners and Natural England. If this is not possible, consideration of locating the surface water attenuation ponds closer to the SSSI boundary should be given. This would allow for greater habitat linkages between the open water features provided by the development and the SSSI open water features.

4.79. Disturbance: While Natural England has no objection to the principle of this development, concern is raised over the indicative layout submitted with regard to the provision of sports facilities both existing and new close to the boundary of the SSSI. This has the potential to lead to disturbance of birds utilizing the SSSI. Therefore would wish to see a softer edge abutting the SSSI boundary if possible which could be achieved by planting a belt of native trees and shrubs adjoin the SSSI boundary for example. Welcome the proposed ecology area forming part of the boundary with the SSSI, if this could be expanded or augmented with other soft uses such surface water attenuation ponds as stated above there may be significant benefits to the SSSI, and would welcome the opportunity to work with the applicant as their detailed proposals emerge to discuss and help shape the proposals and achieve as many benefits as possible for the SSSI.

4.80. Expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

4.81. Designated Landscape: Having reviewed the application Natural England does not wish to comment on this development proposal with regard to designated landscapes. The development however, relates to the Shropshire Hills Area of Outstanding Natural Beauty and is likely to change the landscape character in

the vicinity of the proposal site. Therefore advise to seek the advice of the AONB Partnership.

- 4.82. Have not assessed this application and associated documents for impacts on protected species, and request the use of standing advice.
- 4.83. Green Infrastructure: The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement; and would therefore encourage the incorporation of GI into this development.
- 4.84. Biodiversity Enhancements: This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as native tree and shrub planting, the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant.
- 4.85. **Environment Agency: Comment**
Ground Conditions and Contamination:
Published geological maps indicate the site is underlain by the Bridgnorth Sandstone Formation, which is classed as a Principal Aquifer. These are geological strata that exhibit high intergranular and/or fracture permeability. They usually provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. The Bridgnorth Sandstone is overlain at this location by Glaciofluvial sands and gravels, classed as a Secondary A aquifer and Till deposits, classed as unproductive. Secondary A aquifers are permeable strata capable of supporting water supplies at a local rather than strategic scale and in some cases forming an important source of base flow to rivers. There are a number of boreholes within 1km of the site, both licensed and private. The nearest is the onsite licensed groundwater abstraction. There are BGS records for a number of onsite boreholes, details would need to be obtained from the BGS. The majority of the site is located within source protection zones for the onsite licensed abstraction. A large portion of the site is within SPZ 2 with SPZ 1 also located within the site boundary.
- 4.86. Licensed Abstraction: It is unclear as to who is the present occupier of the land previously known as Allscott Sugar Factory. The licence is presently in the name of British Sugar PLC. If the ownership has changed, and to confirm whether any new landowner is eligible to succeed to the abstraction licence, we would therefore need details of when they took over land ownership. There is a 15 month window in which an incoming occupier is eligible to apply to succeed to an abstraction licence. Application after this time would be considered a failed succession and the licence would be lapsed. Any new abstraction would require a new application to be made. A Section 32(3) consent may be required. However, please note that the Longdon Unit is closed to further abstraction, as the existing levels of licensed abstraction currently exceed the long term rate of recharge, therefore a new licence would most likely be

refused. Therefore request a condition relating to land contamination; the location of Soakaways shall only be used in areas on site where they would not present a risk to groundwater. With regards to the use of infiltration techniques, we would require reassurance that the risk of mobilising contamination by infiltration techniques had been adequately assessed. Sealed systems would need to be utilised in such circumstances, subsequently requests a condition relating to this and any piling. Condition also required for any redundant fuel tanks and lines to be decommissioned in line with current best practice and any contamination encountered removed or remediated to acceptable levels; and any facilities, above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls; and drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

4.87. All piping that is within or passes through Source Protection Zone 1 of the onsite supply borehole must be of a sealed, imperforated, impermeable and twin walled design. There needs to be a regular maintenance schedule for the testing of the integrity of the system to ensure that no leakage occurs. The surface of the loading and unloading service area of the store should be an impermeable pavement with drainage to a single point that can be closed in the event of a spill such that any spillage can be contained within the area and to help facilitate later remedial measures. However the above condition is very much dependent on whether the onsite supply is to be retained and what it is then used for. A licence variation will need to be applied for with detail of use and ownership. If it is no longer to be used the SPZ protection this borehole may no longer stand. Therefore request a condition relating to pollution control measures to ensure the aquatic environment is assured. Also recommend that developers should: 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. 2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. A number of informatives are requested for the developer to consider and contact the EA.

4.88. Flood Risk: The proposed development is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Maps. Whilst development may be appropriate in Flood Zone 1 a Flood Risk Assessment (FRA) is required for development proposals on sites comprising one hectare or above where there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off.

4.89. The applicant has carried out a FRA to assess all forms of flood risk including existing smaller watercourse channels across the site and the potential for this development to accentuate flood risk elsewhere due to the potential scale of surface water run-off which may occur from the development. Although the confluence of the Rivers Tern and Roden is only a short distance from the site

the proposed development area is outside of the floodplain associated with these two rivers. Key points for developments in Flood Zone 1 are:

- Surface water runoff should not increase flood risk to the development or third parties. This should be done by using Sustainable Drainage Systems (SuDS) to attenuate to at least Greenfield runoff or where possible achieving betterment in the surface water runoff regime.
- An allowance for climate change needs to be incorporated, which means adding an extra amount to peak rainfall (20% for commercial development, 30% for residential).
- The residual risk of flooding needs to be addressed should any drainage features fail or if they are subjected to an extreme flood event. Overland flow routes should not put people and property at unacceptable risk. This could include measures to manage residual risk such as raising ground or floor levels where appropriate.
- An assessment of flood risk associated with ordinary watercourses may also be necessary as our Flood Zone Maps primarily show flooding from main rivers, not ordinary watercourses with a catchment of less than 3km².

4.90. Note that the FRA has assessed the current discharge rates based on significant impermeable areas and proposes a 30% reduction in discharge rates from the site utilising SUDs. We have no objection in principle to the attenuation proposed and the suggested SUDs, however, when considering the point of discharge further assessment is required of the receiving watercourse to ensure it has adequate capacity or is re-sized to ensure it is able to convey the flows to the River Tern and have sufficient capacity to convey normal channel flows. In the FRA the applicant has not demonstrated that all flows previously took this route to reach the River Tern, so it is essential that downstream land and property are protected from any potential surface water flooding from the site, and therefore request the LA approve any design. The design of the SUDs ties in with the diversion of the watercourse because of the proposal to drain to the same watercourse.

4.91. Flood Defence Consent: The proposed diversion of the watercourse through the site would require consent under section 23 of the Land Drainage Act and the Floods and Water Management Act 2010. In the case of an Ordinary Watercourse the responsibility for Consenting lies with the Lead Local Flood Authority (LLFA). In an internal drainage district, the consent of the Internal Drainage Board, instead of the LLFA, is required for the above works under Section 23 of the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River on maps held by the Environment Agency and DEFRA.

4.92. Ecology: The site borders the River Tern and Allscott balancing lakes. Both are classified as Sites of Special Scientific Interest (SSSI) which are designated for their national and international importance for birds. A requirement of the Countryside and Rights of Way Act is that Natural England (NE) should be consulted on the impacts of any development on SSSI designated sites. The development will be on the grass and scrubland surrounding the SSSI sites. These areas are used by birds for feeding and thus support the feature of the

SSSI. The area has a low level of disturbance from human noise and intrusion and the area currently has a clear sky line which is favoured by birds. To support riverine wildlife such as otters (formal otter record at this location from 2000, and recent sightings in the catchment) there should be an open river corridor remain undeveloped in order that the riverine corridor be maintained.

4.93. **Foul Drainage:** Have no objection to the connection of foul water to the mains foul sewer, as proposed. The LPA must ensure that the existing public mains sewerage system has adequate capacity to accommodate this proposal, in consultation with the relevant Sewerage Utility Company.

4.94. **Pollution Prevention:** Developers should incorporate pollution prevention measures to protect ground and surface water. The EA have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities.

4.95. Highways Agency: No objection

Following the review of the Transport Assessment the M54 Junction 7 will continue to operate with spare capacity in 2023 with the introduction of the proposed development. Furthermore the assessment has not considered the traffic potential of the existing site and therefore provides a very robust analysis. It is considered that the impact will be further reduced if this was considered. Therefore the proposal is unlikely to have a detrimental impact on the operation of the Strategic Road Network.

4.96. Network Rail: Object subject to conditions

Network rail has a footpath level crossing at Allscott. The Masterplan is in error showing a crossing to the west of the development which has been closed. The proposed Primary school and play area are proposed directly adjacent to the existing level crossing. As such Network Rail has undertaken an assessment of the crossing and factored an increase in usage, increased crossing time (based on more children crossing) and a change in the general environment with a school nearby and the potential of ambient noise.

4.97. At present the risk of injury is low with few users and if the crossing users increased it would increase the risk of injury. Using the specific modelling, the level crossing the All Level Crossing Risk Model (ALCRM) output provides a individual and collective risk from A-M and 1-13. Based on this the All Level Crossing Risk model score changes from C10 to C6.

4.98. Network Rail have compared the crossing to two existing Crossings (Hednesford and Stonreyfields) which have housing one side and fields on the other, where they see 6-9 users crossing over a 2 hour period, and consider this is reflective and accurate for this type of development size in the rural area. Subsequently they object due to:

- 1) The proposed increase in use.

The proposal encourages a more active lifestyle, and will attract more users to the area, the development could encourage increased usage of the crossing from both the new dwellings and the local wildlife site with the new woodland tail and place areas, encouraging increased use from the existing dwellings in the area.

- 2) Change in user type.
A development of this size with a school adjacent will lead to more children and cyclists using the crossing. The demographic of the users would change and increase as a result of the 470 units, potential future users could cross the railway and be distracted by earphones / smart phones / dogs / pushchairs etc
- 3) Ambient Noise.
The development will create ambient noise which will make it more difficult for crossing users to hear approaching trains.

4.99. Originally Network Rail stated the objection would be withdrawn if either option was proposed:

- 1) The level crossing is closed which would reduce the risk by 100%
The council supported the closure and the public footpath over the railway is diverted via the existing underbridge approximately 200m to the west.
- 2) A replacement footbridge is installed.
The council supported the principle, that network design and construct and that the developer funds via a S106 to the value of £400,000

4.100. Furthermore Network Rail also raises concerns with regard to fencing, drainage, earthworks, landscaping, and requests suitable conditions to ensure network rail are included in any discharge of conditions. The council are also reminded of the potential noise and vibration from the railway which may be subject to change without notification; encroachment into the network rails land must be removed from the scheme (section adjacent to public house); scaffolding within 10m of network rail boundary must meet networks rails criteria; and request a condition for a risk assessment and method statement; a 2m gap must also be maintained between the buildings and structures on site and the boundary fencing to allow maintenance.

4.101. However further reports have been produced and assessed by Network Rail; in response to the Curtins report dated the 21st May 2014. Network Rail is prepared to remove the objection subject to the developer agreeing to an S106 contribution of £10,000 for improved signage at Allscott Level Crossing. The Curtins report states that a £25,000 S106 contribution to improve the underpass will, "*significantly improve this route and further increase the attractiveness of this option in comparison to the level crossing.*" Whilst the improvements to the route to the underpass are welcome, the level crossing will still remain an 'option'. Therefore they would seek improved signage for any potential future users of Allscott level crossing. Despite the Curtins report, in Network Rail's opinion they still have concerns over the potential for increased

usage at the level crossing. Whilst it is recognised that the developer does not support diversion or closure of the level crossing (and whilst they have not received any written confirmation of Telford planning departments view on closure and diversion of the level crossing) at this stage should the level crossing remain open then it is still an 'option' to cross the railway. Therefore, improved signage would be needed to mitigate the effects of any increase in usage from any future residents of the former British Sugar site.

4.102. Shropshire Council (Planning): No comment

4.103. Shropshire Council (Highways): Comment

It is considered that the transport assessment provided does not accurately assess the impacts to the Shropshire Council network, as there are notable issues with the trip distribution methodology for journeys being made to the west of the site. However it is accepted that given the previous use of the site and the number of trips associated with that use, there should be sufficient capacity on this network to safely deal with the new trips from this development; the main point of concern is at Norton Crossroads which was previously a trunk road junction and carries much lower numbers of vehicles than it once did. Therefore as the neighbouring highway authority, Shropshire Council are unable to support this application on the grounds that the potential traffic impacts to the Shropshire Council local road network as a result of the development have not been adequately assessed by the transport assessment provided by the developer.

4.104. Telford & Wrekin Local Access Forum: Comment

Whilst the planning application does not indicate any major issues, two public rights of way pass through the site. Satisfied that the developers have noted this, and seek assurance from the developers that the bridleway is not in any way affected by the development (access, gates, change of surface, narrowing, etc.). Keen to see the developer embrace a multiuser and sustainable transport policy and with this in mind the footpath should, where it passes through the site, be legally upgraded to bridleway status so that it can be used by cyclists as a safe no motorised route. No restrictive furniture should be placed on this route to allow permeability for the less mobile and those that use mobility scooters etc. However, disappointed that on such a large site the developer has not chosen or offered to add to the public rights of way network and provide this access within the green spaces of in the development, and therefore seek a condition of approval of the planning application to ensure that any 'informal' routes that are not on the definitive map cannot be taken away/built over with little chance for objection.

4.105. Severn Trent Water: No Objection

No objection subject to condition relating to foul and surface water drainage.

4.106. **Sport England: Support Subject to conditions**

With regard to formal sports provision, the outline application proposes to consolidate facilities to the north of station road. An increase in quantitative area of playing field (1 full size football pitch and 1 cricket pitch) is also proposed together with an additional bowling green and new sports pavilion. It is understood from the application details that the applicants have been in dialogue with the existing sports and social club and that these discussions have formed the basis of the outdoor sporting elements of the scheme.

4.107. The provision of an expanded range of provision could help meet existing local sporting needs and those generated by the housing development. In addition, the proposals affecting the existing playing field are considered to be ancillary to the use of the site for Sport and therefore in accordance with our playing fields policy. On this basis, Sport England supports the application in principle.

4.108. However, the realisation of an expanded and improved local sporting hub will depend on the following issues being appropriately developed, submitted and agreed as part of reserved matters applications, taking account of the following:

1) Pitch layout and location of proposed pavilion.

A single pavilion is proposed to serve all of the sports at the site. This will represent a move away from separate provision that currently exists for the football, cricket and bowls clubs. Although a combined pavilion will have benefits, it will inevitably be more remote from some pitches and greens than others. There are often league requirements relating to the proximity of changing provision to pitches and for football, the need for crowd barriers and dugouts that need to be considered when agreeing the layout of pitches and location of the pavilion. As currently proposed by the illustrative master plan for example, neither of the adult football pitches could have both crowd barriers (one due to cricket outfield) and proximity to changing rooms required by some levels of football play. We would strongly encourage that layout of the outdoor sporting provision is accompanied by a statement which demonstrates that these issues have been considered and that the resultant scheme is appropriate to meet the needs of the different sports users.

2) Pavilion Design

Linked to the above issue, the pavilion design and changing element of the building must meet the operational needs of the site. The indicative plan of the pavilion within the Design and Access Statement are noted. However, without an accompanying program of use for the site, it is difficult to comment on the indicative plan. We would strongly encourage that the envisaged program of use, developed with the current user groups, should be submitted with as part of reserved matters application.

- 3) **Quality of proposed new playing field & bowling greens**
It is important that the ground conditions and pitch specification to prepare the site as a playing field are given careful consideration. The preparation of a new sports pitch will benefit from specialist consideration, without this there is a risk the playing pitch will not meet needs because it will suffer from problems such as waterlogging and uneven surfaces. The same principles apply for the proposed bowling greens. And therefore recommends a ground conditions assessment is undertaken.
- 4) **Phasing of development affecting sporting provision**
It is important that there is a continuity of use for existing users. In particular, no development works affecting the use of the current bowling greens should take place before the new facilities are in operation, and therefore recommends a condition restricting this.

4.109. Shropshire Hills AONB Partnership: No comment

4.110. Shropshire Fire Service: Comment

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" which can be found using the following link: <http://www.shropshirefire.gov.uk/planning-applications> Specific consideration should be given to the following: Access for Emergency Fire Service Vehicles Water Supplies for Firefighting and Sprinkler Systems.

4.111. West Mercia Constabulary: No objection

4.112. Neighbour consultation responses

To date 83 letters of objection have been received, in addition to a further 53 of support and 14 making comments. A number of petition letters have also been received providing an additional 114 signatures objecting to the development. (NB these numbers include duplicates) These raise the following comments:

4.113. Principle:

- proposed development is an incongruously isolated piece of suburbia surely running counter to planning policies dating at least from the designation of Telford New Town - from the amenities and infrastructure of which it is separated by substandard road links
- object to the 'garden city' formality of the Cross Green area opposite the Plough Inn. Question why this land cannot be left un cultivated
- question why the primary school is located at the extremity of the site and its proximity to the railway.
- There are plenty of houses and land to build on within the urban area of Telford; development should be focused there.

- Appreciate the need for development however this is too large for this area
- The site does not have to be redeveloped; Nature is already starting to reclaim it. The pit mounds of south Telford are to become local nature reserves
- Issues surrounding a new sugar beet factory to be built on a greenfield rural site, knocked down a few years later, and then a housing development application made for the site
- Larger than surrounding villages , and larger than the needs for the rural area
- Cumulative impact of the development with Haygate Road and Holyhead Road schemes resulting in just under 1000 houses in the rural area; generate 2000 domestic car movements, combined with school transport and delivery/service vehicles.
- Amount of new homes bonus to be received – yet the local community are unaware where this will be spent and not involved in consultation for its use.
- Covers more than the relatively small brownfield site, and includes greenfield
- It will contribute to short-term jobs provision therefore, on completion, will leave almost 400 people without jobs
- The application has been constructed and managed to satisfy the greed of British Sugar rather than the need of the Borough of Telford and Wrekin
- Much better use could be made of the site than just houses and local services to them. The Allscott Sports and Social Club could look harder to stand on its own feet and is likely to enlist more support from local residents by actively inviting them, rather than allowing them, to regularly attend
- this should be kept as an industrial site with small units
- Loss of Green Belt; therefore contrary to policy, and as such set a precedent.
- All housing development should be within the boundary of Telford.
- Public consultation gave false views and when raised pertinent questions no answers were made, in addition to canvassing by applicant.
- The school, shop, and surgery concept are just that - concepts to make the development look more attractive, and to pretend to address some of the transport generated; The move within the borough is to larger integrated schools which deliver economies of scale, cross-cover for staff absence, and more efficient use of resources - many small rural schools have closed in the last 20 years – Question if the education department been consulted? - a development of this size might contain enough primary pupils for a decade when first built, but will be importing children thereafter, and as a GP the objector considered that the move in healthcare is similarly to fewer larger health centres - and there are no resources for health development s in Lawley or Muxton, therefore this is unrealistic; and shops require road frontage to be viable.

- The site was previously used for agricultural processing - and that would remain its most appropriate use - perhaps with an associated biodigester taking some of the solids from the SevernTrent site in Rushmoor Lane, as well as agricultural waste or products for processing
- This is short-sighted and politically motivated; incentivised by the new homes bonus.
- Question the sustainability of the development based on the NPPF
- Against core strategy policies.
- the first step in the urbanisation of the land between Shrewsbury and Wellington and will be followed by further encroachments along the M54/A5 and B4394 as other Agri-industry sites and farmers sell up to housing as planning controls are relaxed
- isolated location
- no immediate work opportunities in the vicinity
- The proposed short-term bus service may not be sustainable if it does not address the work and social needs of residents
- Use of site should be left for hospital serving Shrewsbury and Telford; consider 'future fit'
- Land should be returned to agriculture

4.114. Highways

- Safety of the B4934 from this large scale development, which has several sharp bends, bridges and railway tunnels
- The traffic along station road, Admaston is already quite heavy.(There were many accidents when the sugar beet traffic/lorries were using it) It would be an absolute catastrophe to expect it to carry the massive increase from the proposed development
- Additional 1000 cars per day through Station road and Admaston in addition to service vehicles, limiting the ability to cross
- No consideration to users other than vehicles – no footpaths causing dangers to cyclists, pedestrians and horse riders both in the immediate area and beyond.
- No attempt has been made to address the inadequacy of the road infrastructure exacerbated by the need to cross the B4394 to reach amenities on the north side except by suggested 'traffic calming' measures' which can only increase the congestion caused by overdevelopment
- There are no proposals to improve the Station Road/Admaston junction which is currently difficult due to the difficulty of seeing traffic crossing the bridge when giving way from the Wrockwardine side; which is currently manageable due to reasonably light traffic from Allscott but will be made much worse
- Roads not suitable for commercial area, such development should be located in Horton Wood
- Wrockwardine road safety: any driver wishing to connect with the M54 will find it quicker to cut through Wrockwardine, and this is the route suggested by Satellite Navigation. There are no footpaths in parts of the Avenue and there are pedestrians, cyclists and equestrians frequently coming through

- Traffic calming in Wrockwardine appropriate to a rural setting such as gate narrowness could be useful but the most useful measure would be a 20 limit through The Avenue
- Traffic calming measures will do nothing for the inhabitants of Wrockwardine, in particular the avenue which is experiencing a much higher volume of traffic since the new estate was built.
- Concerned over the volume of traffic heading through Admaston; where traffic already ignore the 30mph zone
- sugar beet laden lorries could be kept out of the village, unlike cars and vans
- Inaccuracies with the TA; these include- Allscott is served by Telford Community Transport service – which ceased in April 2013; concerns over statistics of the original HGV movements on the site; that there have been no personal injury accidents on Rushmoor/Rushmoor Lane in the previous 5 years – but there have been many accidents involving damage to property (cars going through hedges etc.) and even more near misses;
- There are no pavements or escape verges for pedestrians/cyclists etc. along the B4394 and from Allscott village right through to the junction with the B5063
- The road is barely wide enough in parts for one vehicle and at several points due to the nature of the bends if a HGV is coming in the opposite direction you have to stop and allow them to pass as they can't get round the bend on their own side of the road
- this proposal suggests allowing construction traffic (much of which will HAVE to use Rushmoor/Rushmoor Lane due to the height restrictions and issues with other access points to the site – Low railway bridges etc.) and then possibly 500+ cars and service vehicles once the development is built and open to use access roads including Rushmoor
- The transport plan suggests that hardly any of the residents/users of the new development will use Rushmoor according to predictions – however it will be much quicker getting to the A442 or A5223 via Rushmoor –due to the lack of residential speed limits – the alternative would be to go through Admaston or Wrockwardine – but there's intent in the plans to reduce the limits and slow the traffic flow in these areas
- The transport infrastructure is not in place and nothing suggests the developers have any intention of doing what is needed for such a sizeable development/ Village
- There's also reference to bus routes and the developers intention to provide a subsidy for such a service for the development only for 12 months...What happens after those 12 months; With the cuts to council and rural transport budgets consider T&W council will not step in and subsidise it. Also if this is to improve access to sustainable transport for the area why will the proposed short term bus service only serve the development? Why not Allscott, Rushmoor and the surrounding homes – none of which have the privilege of any workable transport other than private vehicles
- Drivers take the most direct route. Route finders indicate a route via Wrockwardine as the fastest for vehicles wishing to access the M54, Telford town centre, Wellington, Wolverhampton, the Black Country

and Birmingham. Residents, service vehicles and contractors will take a route directly through the heart of the village via B4394, Blacksmiths Lane, The Avenue and Drummery Lane

- The B4394 is already dangerously narrow, twisty and fast. On the approach to Blacksmith Lane towards Wrockwardine there is a railway bridge with a sign advising high vehicles to use the middle of the road; a sign then warns drivers of the possibility of queuing near the junction to Blacksmith Lane, where drivers wait for a gap in oncoming traffic before turning right. Further along there is a narrow hump-backed bridge located next to an already dangerous T-junction, where Station Road takes a sharp turn up towards Wrockwardine. Vehicles turning right off the B4394 from the Allscott direction cannot be seen by oncoming traffic until it has cleared the bridge. This is particularly hazardous when vehicles travelling from Admaston continue along Station Road as it bends sharply to the left up to Wrockwardine. Objector involved in a near collision here.
- Drivers travelling from Allscott join The Avenue at a T junction by the church. Despite road markings drivers often fail to indicate. This is confusing for oncoming traffic and pedestrians. The village is already used as a short cut by Shawbirch, Admaston and Bratton residents. Drivers who approach it from Station Road, where traffic has to negotiate a hair pin bend at the top of the hill where the road meets The Avenue at the above mentioned T junction. Drivers have to hug their side of the road to avoid collision with oncoming traffic and pedestrians walking to the village hall or down to Admaston. There is no pavement here as the road is too narrow.
- There is a blind bend as the driver approaches Drummery lane. This is a difficult junction as vehicles have to edge out of Drummery Lane in order to see if anything is coming both from the South Road to the left and The Avenue to the right. Drummery Lane is steep, narrow and lethal when there is ice or snow.
- Wrockwardine has lots of children and elderly residents. Children playing and on bikes and horse riders will be at increased risk. Drivers in a hurry often ignore the 30 mph speed limit. They use the route because it is the quickest. There are always parked cars along The Avenue, often leaving space for just one vehicle to pass. Military sized farm vehicles use the route throughout the year. The centre of the village regularly becomes a bottleneck. The proposals will increase the risk of collision throughout the route in question. Any move that exacerbates the existing situation should be vigorously examined on safety grounds.
- Should this be approved propose a 20mph limit along The Avenue, 'gate narrowers' and a one-way access on Blacksmith Lane. Although traffic calming for Wrockwardine get a brief mention, feel that urbanising measures such as speed humps and rumble strips would be unhelpful and do nothing to reduce congestion
- Suggestion of 40mph zone to the Grove at Walcot
- Need for a bypass to run from Allscott to M54/A5, which was originally proposed by TDC.

- Assumption is that there will not be covered parking for all residence and therefore there will be a certain amount of on street parking. Viewing the road/ accommodation ratios, considered there is a strong possibility of parking place shortage on the development site which would lead to an overspill, possibly onto the B4394, an already inadequate thoroughfare.
- On street car parking will lead to another scruffy estate where tensions run high and it is a stressful place to live.
- The amount stated for road improvement, would not cover the cost of pot holes & flood drainage between the site & Admaston rail bridge.
- Break the traffic act of 1984 which imposed weight limits
- Support for the parish proposals to shut Blacksmith Lane and Station road be made a no right turn from the B4394; Drummery Lane should also be made one way.
- Since the factory was demolished, local domestic and business traffic has grown so much that it has substantially replaced the factory traffic
- What are the emergency plans for the parish of Wrockwardine.

4.115. Character:

- does not relate to the existing or have the character of a village
- The proposed development is much greater than the original factory site and is not in keeping with the existing village architecture
- Impact on Wrockwardine with the increase in traffic, pollution and noise that it will entail, diminish the quality of life in Wrockwardine and the surrounding area
- Wrockwardine is a conservation area and kept as such without being engulfed by a housing project
- The surrounding countryside is getting smaller and smaller, there will be nothing left for the next generation to enjoy.
- Wrockwardine was designated a Conservation Area in April 1999. There are approximately 110 houses in the village of which about 45 (Wrekin View) are outside of the Conservation area. Of the remaining 65 houses there are:
 - **20 Grade II Houses**
 - **1 Grade II* House**
 - **1 Grade 1 Church**
 - **1 Grade II Graveyard Wall**
 - **5 Grade II Garden Walls**
 - **3 Grade II ranges of Barns, Stables, Cart sheds**
 - **1 Grade II Sundial (in the graveyard)**
 - **1 Grade II Dovecote**
- **Therefore the character and appearance of this village is under serious threat, and thus needs significant attention to prevent traffic from passing through Wrockwardine.**
- loss of property value to a once tranquil and quiet village of Admaston
- create a satellite town of Telford
- highly damaging to the historic unspoilt nature of Wrockwardine and the scenic environs of the Wrekin - together a major tourist attraction.
- Considerable infrastructure costs (roads), as well as social and visual impacts on the whole surrounding area, would be unavoidable.

Wellington and Telford already provide opportunities for fresh housing development within their boundaries, so why locate a chunk of suburbia so incongruously in this rural setting? From every aspect, it would be highly detrimental to this part of Shropshire.

- Each house requires a rear garden; for bins, in addition a minimum of 2 parking spaces off road.
- Design should also take account of an aging population.
- Too large to tag on to historic village
- Number of houses should be greatly scaled back to say 250
- If the school is not built (it seems likely that it will not be built because the choice in education is now to have larger more centralised schools), this land should be dedicated to public use and not used for more houses. Similarly the proposed medical centre

4.116. Environmental:

- Site is contaminated, and remainder is wildlife and public footpaths and should not be built on
- There is no justification for A3/A5 uses as there are already two long established public houses, one at each end of the site, able to serve the needs of residents. In order to be commercially viable, the A3/A5 uses will need to attract customers from outwith the site; in addition lead to an increase in litter
- The on-site school will attract pupils from outwith the site since St Peter's at Bratton is already over-subscribed and will thus negate those attending from within the site
- No services such as gas, mains sewerage and no water
- Concerns that the noise survey did not take account of the existing Sunnymead Kennels (a licensed boarding establishment for over 30 years); and thus fearful that the proposed developments will lead to complaints on the adjacent kennel noise from the existing use, having seen established kennels having to defend themselves from noise objections posed by the residents of new developments before. Therefore consider the applicant has not defined them as a noise source the possible effects on the quality of life for the potential residents has been ignored.
- additional traffic – construction and housing will cause noise disturbance, and pollution.
- difficult to understand why it is necessary to build a new village complete with all the sweeteners listed in the proposed plans, such as shops, schools, health centres etc. these facilities already exist in Admaston, Shawbirch and Wellington. To replicate these services will be to the detriment of already established businesses and services.
- a proportion of the new dwellings is allocated as social housing this in its self will have an effect on council budgets with the cost of transport to and from essential services from this rural area by the residents who through no fault of their own would find it difficult to pay for transport to and from this rural area.
- Concern over the impact to hospitals and other services
- Additional litter/ waste
- Concerns over construction and operating hours

- Already an impact on the surrounding environment from the Severn Trent sewerage plant which has increased work / movements. Proposal will have a cumulative impact.
- hope that the wildlife environs around the Site will not be disturbed
- proposal within the flood plain of the river tern
- have concerns about the proximity of these houses and particularly the School to the existing Railway line and crossing. Surely this is just an accident waiting to happen? perhaps a better solution would be a new access route from the M54/old A5 incorporating a bridge over the railway
- A footbridge over the railway line should be required- closing the footpath should not be an option
- location of school to the rest of the development
- sports facilities will attract more then the proposed residents
- soil contamination

4.117. Points of support:

- Government policy is to support the delivery homes.
- Traffic calming in Wrockardine appropriate to a rural setting such as gate narrowness could be useful but the most useful measure would be a 20 limit through The Avenue; request early village consultation on traffic measures
- Feel that the proposed traffic calming measures will greatly reduce the speed of the traffic which should eliminate any fears of possible accidents through the increase in vehicle usage on this road.
- The majority of the land to be used in the development is a brown field site with only a small area of agricultural land being taken.
- The old sugar factory site is now becoming a “blot” on the landscape and with all the proposed features of the development, i.e. small arcade of shops, health centre, school, mixture of house types and improved sports and social facilities, for all ages, can only add to the benefits of all existing local residents and other villages in the local community
- Proposal will also create a small numbers of jobs and should be approved.
- Appreciate there is a lot of concern re the additional traffic that will be created if this new development gets approval; and that most vehicles using the B4394, from Norton to Admaston, think it’s a race track and travel at very high speeds; however considers that the proposed traffic calming measures will greatly reduce the speed of the traffic which should eliminate any fears of possible accidents through the increase in vehicle usage on this road.
- Consider the speed restriction, 30 mph, should be extended to include vehicles approaching Duncote bridge and run through Duncote, Walcot, Allscott then increase the speed limit to 40 mph after the junction into Wrockardine, Smithy Lane, until the 30 mph restriction in Admaston, this would help alleviate any issues and possible accidents at all cross roads, junctions etc along that stretch of road.
- very positive scheme to the benefit of the local community and local business alike

- see the development of homes, schools and sports facilities as a way forward
- proposal will support a declining sports facilities which needs a positive solution urgently to ensure its survival;
- There is a dearth of suitable recreational facilities in rural areas and this proposal would create a long term future for one of the few that exist, maintaining this community facility
- There is substantial benefit from this proposal for the wider community beyond Allscott.
- The current state of the site reflects badly on the area.
- T&W have neglected their responsibilities with regard to infrastructure development in rural areas (e.g. roads, leisure facilities, schools and high speed internet provision) and need to invest in the transport links to and from the site, both to Admaston and through Wrockwardine. Believes the creation of this site will add traffic flow, but that it is the responsibility of the Council to alleviate this problem and that it should not impede the investment
- The sports facility gives an additional focal point for a village and will help to integrate such a large development into the existing community.
- Its location between Telford and Shrewsbury make it well suited to be supported by either if developed, or if developed as per the current proposal make it well suited for employment opportunities in either of these localities.
- This site is now a brownfield site and therefore as such should be considered for redevelopment in preference to existing Greenfield sites.
- The current proposal has good footpaths and recommends speed restrictions around the development site itself but little or nothing has been said about the problems west through Walcot which effectively borders this development. If this development does go ahead would like to see restrictions in speed to beyond the Grove Inn at Walcot (the site of a number of serious collisions in recent years) and also installation of a pavement to this point. Otherwise residents Walcot will effectively only be able to safely use the enhanced facilities by driving to them, which seems bizarre when residents of Walcot will actually live closer to some of the facilities (ie the Sports and Social Club) than residents of old Allscott.
- It is good to see that it is quite low density as trying to incorporate 470 new homes within a rural area
- Also good to see some affordable housing to allow local young adults the ability to stay within the area that would otherwise be beyond the means of most.
- A health centre and shops along with the sports facilities is what rural areas are in need of not just the proposed occupants but the adjacent nearby existing villages.
- would like to see pedestrian/cycle path between Walcot village and the new development
- The concern about the additional traffic cannot be as bad for the community as the heavy goods lorries were when the site was running a development for houses , shops, school etc would be far better for the area than another industrial site which would create heavy goods

- The government are behind new housing development which bring work to not only the community but far afield
- Expected that the site would be developed; good public consultation, plans seemed to be reasonable and comprehensive except that there was no suggestion, as to the impact the development would have on the traffic flow through Admaston; in the last few years there have been considerable increase in domestic development within the Admaston village and close by and we, living on Station Road, find it particularly difficult to exit and enter individual driveways at time because of the present volume of traffic. Over the years the route from Telford East, the 'Maxell factory island' to Shrewsbury has become very popular and this increase in traffic , together with the increase from local developments has made this road very busy at almost all times of the day. Major reconstruction needs to be undertaken to make such roads safe for the use of such an increase in traffic. Perhaps an alternative could be the building of a new road southwards in the direction of the 'old A5' paid from the developers.
- In the opinion that the traffic once produced by the hundreds of British Sugar employees never mind all the Beet lorries would have been probably heavier than the traffic will be a from this development. If the road is reduced in speed through Allscott then consider a lot of existing vehicles that cut through this way will find an alternative route either down the M54 or old A5.
- Looking at the plans this development will be a huge improvement to what is at the moment a redundant industrial wasteland.
- We have to look to the future and not live in the past. With the facilities we will gain from the development, this will encourage younger people to get involved, as not many facilities in Telford/Shrewsbury enables this.
- New affordable houses to be built for the younger generation and their families, with school, shops & amenities locally.
- The main negative reading these comments is traffic issues; would rather be travelling on the roads with more cars than with the lorries that used to travel on that road fully loaded! Also the road would be safer with 30 mph speed limits, possible speed cameras which would help alleviate the speeding drivers.
- feel that the positives of this site developments totally outweigh any negatives people may have
- Great for grass root sports and give the children/adults something to relate to and enjoy.
- The development will help to provide disabled facilities so that we can support the local disabled people and help get them involved with sport.
- Concern about the additional traffic seems like a convenient excuse to object to change of any sort; the people who are not in favour really need to see the bigger picture.
- Feel that if this does not happen a lot of people will lose out on the many things they enjoy. All the hard work getting the cricket and football pitches etc like they are now; will be for nothing, just for the sake of cars passing through the village!
- Great support to the local community especially the elderly.

- It will also create much needed custom for the public houses and other businesses in the area which have been struggling over the past years
- Yes we have to acknowledge the infrastructure is not in place for such a development however the traffic calming measures proposed will alleviate most problems
- bring new people to the area
- If the development does not go ahead, where are children, young people and adults going to go? There are very few facilities as it is, especially in this area. There are no youth clubs and not many things for young people to do. Allscott is one place where you can play sport then socialise in the sports and social club with other young people. The housing development would hopefully bring more young people to come and enjoy what Allscott sports and social club has to offer.
- find the proposals regarding the sports facilities particularly exciting, uncommon for a sports club in this area to offer a variety of sports to partake in for both children and adults alike, therefore a unique opportunity for anyone looking to get involved
- In today's economic climate I feel that the proposed generation and improvement of the British Sugar site at Allscott will provide an immediate boost to the local economy with the creation of much needed local jobs.
- The creation of additional housing will attract families to the area as well as offering alternative housing to those already resident nearby.
- The provision of a local school, shop, excellent & improved sports facilities, social club, and other amenities will offer indefinite job opportunities to local residents as well as enhancing the community services available to all existing Allscott and nearby residents. This will undoubtedly create a real community feeling with the village becoming, to a degree, self sufficient.
- Understand the concerns of local residents surrounding perceived increased traffic in the area, but unfortunately this is to be expected of any development. If this is to be the only grounds for objection then feel that the positives offered by the development far exceed the negatives. Moreover, potential community car use can surely present no more of a danger than the traffic, including heavy goods vehicles, associated with the old British Sugar factory.
- Ultimately the amenities provided will offer something to everyone from young and old, single or family and the anticipated provision of council led traffic calming measures will ensure a safe community for everyone to enjoy!
- Should consider the use an addition of a railway station/halt would enable residents to access Shrewsbury, Wellington, Telford, Wolverhampton and Birmingham without the use of cars.
- The plans are done to a high standard and are not transparent in any way, contrary to what some comments may say
- Prime location, with easy access to M54.
- No sound reason for the development not to go ahead; traffic can be managed.
- new community will emerge as a new modern day village

- A rare opportunity for a full archaeological survey of the area to be undertaken before it is built.
- A number of supporters expressed interest in living here / using facilities.

5. RELEVANT HISTORY

Various history relating to the sugar beet factory itself and more recently pre application advice given to the sites redevelopment from 2008 with regard to the extant use of the site following the closure of the factory, changes of use and subdivision. Pre-application discussions began more firmly in 2011 with the appointment of Northern Trust, this was later followed by a Scoping opinion provided in 2013.

6. RELEVANT POLICIES

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes

CS2 Jobs

CS3 Telford

CS5 District and Local Centres in Telford

CS7 Rural Area

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open space

CS12 Natural Environment

CS13 Environmental Resources

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan:

EH7 Contaminated Land

EH14 Land Stability

UD2 Design Criteria

UD3 Urban Design Assessments

UD4 Landscape Design

UD5 Public Art

UD6 Major transport corridors and gateways into Telford

H6 Windfall development in Telford & Newport

H22 Community Facilities

H23 Affordable Housing

H24 Affordable Housing: Rural Exceptions

T4 Development Principles

T22 Planning Obligations
OL11 Woodlands and Trees
OL12 Open land and landscape contributions from new Development
OL13 Maintenance of Open Space
LR1 Provision of community Facilities
LR4 Outdoor Recreational Open Space
LR6 Developers Contributions to Outdoor Recreational Open Space within New Residential Developments

7. PLANNING CONSIDERATIONS

7.1. Principle of Development

At a local level the site in its entirety is located in the Rural Area as defined within the Wrekin Local Plan. Policy CS1 relates to housing developments in the borough; this states that the number of new homes to be delivered in plan period will be a maximum of 1330 new dwellings per annum up to 2011, and a maximum of 700 new dwellings per annum 2011-2016. In accordance with the NPPF, Telford & Wrekin Council must identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of housing against its housing requirements set out in the adopted development plan, which comprises relevant saved policies in the Wrekin Local Plan and the Core Strategy (2006-2016). The Council maintains its position regarding the significant supply of housing land that exists across the borough, comprising committed sites and sites identified in the current Strategic Housing Land Availability Assessment (SHLAA). Nonetheless, a reassessment of the five year land supply position, particularly in terms of the deliverability of committed sites within five years, has produced a lower, but more robust, delivery figure of 2.5 years. This reassessment was carried out in light of updated guidance issued in April 2013 by the Local Government Association on assessing housing requirements, the increasing number of appeal decisions and examinations nationally which were favouring a more stringent approach to assessing the five year supply issue and one the Council needed to respond to pro-actively. Borough wide the authority is dealing with a shortfall in house building and has a 2.5 year supply, which is less than the required 5 years. This has implications for decision-making on planning applications.

7.2. Having a 5 year housing land supply shortage indicates that para 49 of the NPPF takes on greater significance which states that 'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.' Paragraph 14 states 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, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be

restricted. This underlines that planning applications should not be considered on the grounds of housing supply alone and that they should be decided against the golden thread of the presumption in favour of sustainable development. Consequently the proposal should not therefore be considered against the housing numbers set within policy CS1, however the sustainability of the scheme should be tested against other local policies and again the NPPF.

- 7.3. The spatial interpretation of the housing targets defined in CS1 is given focus by directing development to Telford; to Newport in Policy CS6 and to the three identified rural settlements of High Ercall, Tibberton, and Waters Upton in Policy CS7. Policy CS7 specified where all rural development is focused; this included all forms of development, not merely housing, to “*that necessary to meet the needs of the rural area*”. Outside of these locations, new development will be limited and in the open countryside strictly controlled. The core strategy made no employment allocations in the rural area, nor did it include policy statement encouraging rural business, and thus regard to any change of use of any employment nature at this locality would have conflict with the Core Strategy. This was recognised through the Public Examination of the Core Strategy where by the Inspectorate made the following comments:
- 7.4. 3.68 *“The Core Strategy was submitted before the announcement that the British Sugar site at Allscott would close. This site is located in the rural area outside any large settlement or village designated for rural growth. Its future use represents a problem at the strategic level, compounded by its position on a railway line where the evidence suggests that a station halt could be engineered; and complicated by the presence, on site, of a SSSI which has been dependent for its ecology on warm water emissions from the sugar factory. As it stands, the Core Strategy contains no policy statement which could relax the restrictive policy of CS7 if that were necessary to allow alternative development. In respect of development falling outside Policy CS7 and outside the tolerances of the Use Classes Order and the General Permitted Development Order, the future of the site would be decided through the application of national planning policy. Whilst this is not entirely satisfactory from a development plan point of view, no change could currently be made to the Core Strategy to encourage alternative uses (particularly housing) which would conflict with Core Strategy policy as it stands. Neither consultation nor sustainability appraisal of alternative uses has been carried out. The reduction in the timespan of the Core Strategy to 2016 would allow work to begin on a strategic policy approach to this important site.”*
- 7.5. Thus the principle of development is reinforced with any applications to be considered against national policy and little weight given to policy CS7.
- 7.6. The Council is working on identifying its own targets through the emerging Local Plan and published its proposed sites for development in early May 2014. However, this document is at a very early stage of preparation and reflects the early thinking of the Council, uninfluenced by public consultation. The weight that can be afforded to any Local Plan documents at this stage is considered to be very limited, however this site is put forward for allocation predominantly for housing and supported by an area of mixed use. The allocation recognises the

site is a derelict brownfield site, and given its size has a potential to provide a range of housing to meet local needs; furthermore it takes advantage of the exiting highway infrastructure. Questions have arisen with regard to the site coming forward prior to any allocation, however as the documents are at the primary consultation state, with no early prospect of submission for examination, then refusal on these grounds would not be justified.

- 7.7. In the absence of up to date housing policies within the local plan and reflecting the availability of this previously developed site and its extant use, the fallback position for assessment is therefore the National Planning Policy Framework (NPPF) itself. In general terms, the NPPF places sustainability at the centre of land use planning. There are three dimensions to sustainable development: economic, social and environmental. In terms of social cohesion and inclusion, the Government is committed to developing strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The social role of the planning system should not be undertaken in isolation from its economic and environmental roles. Therefore, economic, social and environmental gains should be sought jointly and simultaneously through the planning system to achieve sustainable development.
- 7.8. At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means:
- Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
 - Specific policies in the NPPF indicate development should be restricted.
- 7.9. When NPPF refers to there being no specific policies which indicate that development should be restricted it refers to footnote 9, which clarifies that this means:
- Sites protected under the Birds and Habitats Directives and/or sites designated as
 - Sites of Special Scientific Interest;
 - Land designated as Green Belt, Local Green Space, Area of Outstanding Natural Beauty, or Heritage Coast;
 - Land within a National Park (or the Broads Authority);
 - Designated heritage assets;
 - Locations at risk of flooding or coastal erosion.

7.10. The Framework does not contain specific policies that would preclude housing development at such scale within this location; it highlights the need to ensure growth within rural areas; it supports the reuse of vacant and contaminated previously developed land and recognises that the housing can sometimes be best delivered through planning for larger scale development, such as new settlements or the extension to existing villages and towns, following the principles of garden cities. Accordingly the analysis of this proposal has to be based on an assessment on whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.11. Recent appeal decisions have shown that the Planning Inspectorate and Secretary of State have placed substantial weight on housing land supply. Even when there has been identifiable harm flowing from a proposal, such as the impact upon the landscape or the loss of agricultural land, this has been outweighed in the planning balance by the lack of a 5 year housing supply. The question is therefore whether the benefit of delivering housing is outweighed by the potential adverse impacts arising from development. The key issue with this application is therefore the sustainability of the proposal in combination with the housing land supply, and unless there is identifiable planning harm flowing from this proposal individually or cumulatively, which would outweigh the benefits of delivering housing, then the NPPF is clear that planning permission should be granted.

7.12. The framework contains the core principles of the planning system. The most relevant to this proposal are summarised as follows;

- Creatively enhancing and improving the places where people live;
- Proactively driving and supporting sustainable economic development;
- Identifying and meeting the housing, business and other development needs of an area;
- Seeking high quality design and good standards of amenity;
- Recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities;
- Conserving and enhancing the natural environment;
- Reusing previously developed land, provided it is not of high environmental value;
- Promoting mixed use developments;
- Recognising that some open land can perform multiple benefits;
- Focusing significant development in sustainable locations and making the fullest use of sustainable transport;
- Taking account of and supporting local strategies to improve health, social and cultural wellbeing for all, and;
- Delivering community and cultural facilities and services to meet local needs.

7.13. Sustainable development

At the national level, sustainable development is promoted through the NPPF, which defines three dimensions: economic, social and environmental, which

cannot be considered in isolation and that they are mutually independent. The headings below consider each in turn.

7.14. *Economic:*

The NPPF defines that the economic role of development should contribute “*to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure*”. (Para 7)

These themes are expanded upon throughout the document identifying the need to assist job creation, the delivery of housing and infrastructure in addition to delivering economic rural growth. Despite the requirement to deliver social, economic and environmental gains simultaneously, paragraph 19 places significant weight on the need to support economic growth. The NPPF also confirms that the long term protection of the sites allocated for employment should be avoided where there is no reasonable prospect of a site being delivered, this is recognised in the emerging local policy Shaping Places which acknowledges the large employment sites in the rural area are coming forward, identifying both this site and Crudgington. It considers that these sites present opportunities for brownfield redevelopment which can bring forward new economic development with either housing or mixed use development.

Paragraph 55 of the NPPF also states that housing in rural areas should be located where it will enhance or maintain the vitality of rural communities. This site presents one of the best opportunities to do this in the rural area of the borough; the services provided by the development will help to support both the existing and new communities, with potential for new residents to support existing services in nearby villages. Furthermore paragraph 69 states that planning decisions should aim to achieve places that promote mixed-use developments, strong neighbourhood centres and active street frontages to bring people together. They should also create safe and accessible environments and developments.

7.15. The proposal encompasses a mixed use development, and not solely residential. It will provide a business hub that will assist and facilitate start-up companies; providing professional working areas (desk and office space) to those that work from home and local entrepreneurs. The facility provides assistance with business development, finances and networking following a similar format of the business hub currently established within Telford’s urban area. The site in its entirety will benefit from high speed broadband supporting all aspects of work, including those that work from home who choose not to access the hub. The proposed retail will also add to this economic structure; such a use does not require any sequential assessment as set out in paragraph 25-26 of the NPPF where a sequential approach should not be applied to planning applications for small scale rural offices or other small scale rural

development, furthermore the development is also below the threshold of 2,500m² floor area.

- 7.16. The proposal will provide jobs directly on the site not only through construction of the large scale redevelopment (circa 1000) but also the longevity of the site through the school, shops, the hub, community facilities and maintenance of the site. The development will promote growth of local industry and trade from those supplying building materials, architectural and legal services and estate agents, in addition to the generation of revenues from those residing on and using the site, i.e. from the sale of convenience and comparison goods in the borough having a wider benefit and not just the immediate locality. Thus the proposal will assist the economic growth and job creation within the borough.
- 7.17. The proposal will provide approximately 470 homes, regenerating a derelict and unsightly previously developed site, and through the provision of high quality design, will include significant landscaping and open space. It will invest in the local transport infrastructure, not only creating direct public transport links from the rural area to Wellington, but also improve the rural areas highway network in the locality and nearby villages through the use of S106 agreements. The proposal will also provide financial revenues through Council tax income, the new Homes Bonus and increased business rates, which will support the delivery of housing and new infrastructure.
- 7.18. The NPPF advises Local authorities should also take into account the economic and other benefits of the best and most versatile agricultural land; where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Using land efficiently is a key consideration in planning for housing. This proposal will utilise grade 3 land as identified in the 'Agricultural land classification assessment' and proposes a loss of 9 hectares with 4.6ha being built upon. The site is somewhat isolated from existing commercial farms, with the sugar beet factory to the west, the haulage depot to the east and the railway line to the south, thus restricting access for large farm machinery to the main highway alone, thus its viability economically is somewhat limited. The development of the agricultural land here has derived from the request of the LA to provide a school within this locality. Taking account of the significant contamination of the site and existing sports provision, if the proposal was focused specifically within the boundaries of the previously developed land then the sustainable package which is currently under consideration would be significantly revised with focus specifically on residential in addition to some replacement sporting provision. The wider development proposals submitted are considered to support the economic growth in the rural area, through the provision of a new sports and social club attracting people into the area and not just those within the site, as well as the addition of the primary school, health facilities and local shop. It will also support those already established, increasing the vitality and viability of those close by for example the local public houses, local employers and services. Thus the use of agricultural land at this locality is considered acceptable.

7.19. Social:

As a social role, the NPPF encourages development support “*strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s need and support its health, social and cultural well-being*”. (para 7)

7.20. The proposal will provide 470 homes that will positively contribute towards the delivery of the boroughs identified housing needs, including a range of housing supported by affordable tenures. This will therefore meet the needs of present and future generations within the Borough. The application is supported by the design and access statement which sets out how a quality built environment will be delivered. The design and access statement identifies how development parameters of scale, density, massing, height, landscape, layout, materials and access will be implemented across the site in line with NPPF objectives.

7.21. The proposal will also provide accessible local services through the delivery of a range of amenities and facilities within the site to meet the local needs of both the proposed and existing residents (including convenience retail, health centre with pharmacy, business hub, primary school and sport and recreation facilities). The proposal will promote access to quality open spaces and enhanced rights of way (including circa 55% of the application site for both formal and informal open space, landscaping, sporting facilities, allotments and ecological enhancements). The provision of high speed broadband plays an important role in enhancing the provision of local community facilities and services, which is recognised by the NPPF in its support for high quality communications. Accessibility to wider local services is also achieved through the enhancement of bus services from the site to Wellington.

7.22. Environmental:

The NPPF states that development fulfilling the environmental role should contribute “*to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy*.” (Para 7)

7.23. The proposed development will reuse approximately 18ha of previously developed and contaminated land, thus providing a prudent use of natural resources. Furthermore the proposal includes a remediation strategy that will confirm that suitable elements will be reused in the development. This will both minimise the need to import new materials to site and limit the exportation off site. Waste will be minimised by seeking to achieve all mandatory and non-mandatory credits in Code for Sustainable Homes (CSH) for household waste management and recycling. Thus the proposal as a whole seeks to minimise waste and pollution from the site.

- 7.24. Paragraph 117 and 118 of the NPPF states that planning decisions should encourage the effective use of land by re-using previously developed land, provided that it is not of high environmental value. Development on land within or outside a Site of Special Scientific Interest that is likely to have an adverse effect on that site should not normally be permitted with exceptions only being made where the benefits of the development clearly outweigh the impacts on the site and to the wider national network of SSSIs. In this case the SSSI sits outside of the sites boundary and thus there is no physical loss to the area, In addition due to the proposed surrounding land uses it is considered that the proposal will not adversely impact the adjacent use and impacts on protected species across the site can be controlled through appropriate mitigation measures. The proposal provides for the creation of new habitats, such as the 17.ha ecology park, and through appropriate landscaping schemes the site will see a net gain of trees across the site, the creation of new wetland habitats (delivered as part of the SUDS), the introduction of wildflower grassland (in buffers along tree lines, woodland and plantation edges) and the planting of new hedgerows. Thus the proposal minimises the impacts on biodiversity and secures improvements across both the site and the wider area. This is therefore compliant with the NPPF.
- 7.25. Through the provision of a number of various onsite community facilities the proposal reduces the need to travel, and through appropriate design will include a network of high quality footways and cycle ways to promote sustainable means of travel around the site. Furthermore the proposal will also be accessible by cycle to Wellington and its peripheries allowing wider opportunities for employment education and retail. Supported by the enhanced bus service and travel plan initiatives the proposal therefore includes sustainable forms of transport in and around the site.
- 7.26. The proposal considers how to mitigate and adapt for climate change by taking account of flooding and providing a low carbon economy through the erection of homes built to level 4 of the Code for Sustainable Homes (CSH). The reduced energy use is equivalent of a 44% reduction in CO2 emissions against building regulations (pre April 2014) and a 43% reduction on current average water consumptions in the UK – with a 14% improvement on current building regulations. This theme is continued in the commercial and school buildings which will be erected to a standard equivalent to BREEAM ‘very good’.
- 7.27. The proposal recognises the need to enhance the natural, built and historic environment, and through the use of mitigation measures and landscape strategy the proposal seeks to have negligible impact on such assets. A key consideration is the view from the Shropshire Hills AONB and in this respect the proposal will bring around benefits by removing the derelict site and replacing it with sensitively designed built forms and associated landscaping.
- 7.28. It is considered that the proposal explores the aspects of sustainable development as a whole and itself creates a sustainable environment on previously developed land that does not depend upon the delivery of any other sites to bring forward the community aspects including the school; instead the

opportunity to develop this substantial site gives rise to a number of uses that would not be delivered if the site came forward piecemeal. The benefits derived from the development therefore need to be considered against the environmental impacts created from the development and the technical constraints of the site and the surrounding area.

7.29. Applicants Sustainability Statement:

A Statement of Sustainability accompanies the scheme, which sets out the benefits associated with the proposed scheme in terms of the sites accessibility to key local services, employment public transport provision and pedestrian & cycle links assessing sustainable development in terms of reducing the need for travel and promoting alternatives to private vehicles in order to reduce CO₂ emissions. It identifies that within close proximity to the sites boundaries 2 public houses are located; in addition recreational facilities are located within the sites boundaries; a post office and convenience retail units are located at Admaston approximately 2.5km from the centre of the site (approx. 1.5k from site boundary edge) and further afield within 5km of the site is the hospital and alternative recreation facilities within Wellington. The report considers the existing school facilities within the area, recognising that the proposal for 470 dwellings will generate a need for 132 primary school places and 75 secondary school places. It examines the nearest village school at High Ercall and Crudgington both with capacity for 156 pupils. High Ercall is 75% full and therefore has some available spaces. Those in Wellington (St Peters, Bratton and Dothill) are forecast to be oversubscribed by 2017 and will require extensions. Therefore the request for a new school has clear benefits in terms of reducing the need to travel, creating a walkable neighbourhood and a focus for the local community at its centre. The school will also plan an important role in the existing rural community. The provision of the healthcare facility also aids sustainability of the site reducing the need to travel for both proposed and existing residents. The provision of high speed broadband supports working from home and the significant sports facilities provide overall benefits to reduce the need to travel, in addition to supporting the existing infrastructure. These in combination with the investment in green travel misuser will ensure a sustainable and walkable neighbourhood and also benefit the wider rural area to become less reliant on the existing urban area.

7.30. The statement also appraises a range of sustainable design and construction measures to help ensure resilience to future climate change, reduce CO₂ emissions associated with the built environment and encourage an efficient use of resources. The proposal sets out the desire to build to level 4 for the code for sustainable homes, which was over and above building requirements up until April 2014. The report recognises the changing nature of housing standards, which proposes CSH is phased out and replaced by nationally set out sustainability standards which will be adopted by individual planning authorities. At the stage of submission this was unknown and level 4 or its equivalent has been accepted by the applicant to ensure sustainable

construction methods. The old building regulations Part L requirements were approximately equivalent to code 3, and the recent upgrade will see them achieve approximately code 4. However the building regulations and codes do not currently align, therefore there is a need to ensure the delivery of the sustainable credentials through condition allowing some flexibility to ensure the credentials of what has been set out by the applicant to date is maintained and not weakened.

7.31. Socio – economics

It was identified at the outset that the ES needed to take account of the implications the development would have on existing housing provision and the capacities of education and healthcare facilities. The ES considers the effects on the proposed development on changes in population numbers and structure, changes in housing requirements, changes in employment requirements, the demands of healthcare provision and the demands on education provision. This concludes that the delivery of the 470 homes can provide accommodation for a population of approximately 1,151 over the next 8 years, therefore contributing to addressing the issue of the Councils past shortfall of housing delivery. The additional provision of a village primary school would meet the needs of those young families living within the site and have sufficient capacity to assist with any deficiency of places in the future. The provision of jobs both on site during construction and through to operation is also considered beneficial. Local expenditure will rise and therefore have a moderate/minor beneficial effect on the vitality of the economy. Where any adverse effects are likely to be generated as a result of the development these are mitigated. For example, without the provision of a health centre there may be a slight increase in demand for health care provision in the surrounding local areas, and unmitigated the development would have a minor adverse effect on healthcare. In this example the appropriate mitigation is the provision of a facility on site to offset such effects and consequently residual effects would be negligible.

7.32. Landscape

The location of the site within the rural area is relatively sensitive taking account of the open fields that lie adjacent to the site, the location of the nearest settlement of Allscott some 190m to the north east of the site, and the range of views at both near middle and far distances to and from the site, in particular the Shropshire Hills AONB. Views of the site from heritage assets are limited to only those dwellings on the northern perimeter of Wrockwardine Conservation Area some 1.1km from the site; this view is obtained due to the elevated position of the conservation area obtaining a view across the vale landscape and specifically relating to the rear gardens of Wrockwardine Farm and the Vicarage Farm. Views of the site are also obtained from a number of rights of way that traverse the landscape.

- 7.33. The area falls within the Shropshire, Cheshire and Staffordshire Plain, as identified and assessed by Natural England 'Countryside Character' document. This documents the general character of the area, recognising development pressures, and provides guidance for 'shaping the future' of the area. It appreciates the area is largely of a rural nature and the views from higher ground across the plain to the south increase sensitivity. The Plain generally retains a quiet and strongly rural feel however the presence of extraction industries (i.e. Leaton Quarry) reduces the sensitivity of this landscape. Consequently the landscape assessment concludes the site is considered to have a medium sensitivity. The site has also been considered against the Shropshire Historic Landscape Characterisation, whereby the majority of the site is characterised as a riverside meadow, and the south eastern area (area 3) is identified as Estate Farmland; accordingly considered against these merits it combines to create an enclosed landscape of medium to high sensitivity.
- 7.34. The site does not fall within the AONB, however it is visible from the Wrekin (407m AOD) and therefore contributes to its setting. On review of the Shropshire Hills AONB management Plan (2009-2014), it identifies a number of priorities that include: Valuing, conserving and enhancing what we have; Keeping the Shropshire Hills countryside thriving; Shifting to low carbon; Adapting for the future, working alongside nature; and Helping people to connect with the AONB. It also seeks for development to be sensitive and appropriate in terms of scale location and good design. It is also important to reference the emerging management plan (2014-2019), which whilst in draft form does identify 'zones of influence' for the AONB which aims to *"provide a useful, though not rigid, area in which the AONB and its high quality landscape has significant economic and social influence"*. The application site sites outside of this boundary and thus is not considered by the plan to be an influence on the AONB. The site is only visible from the AONB when viewed from the Wrekin, where the site forms part of the panoramic view, and is thus considered a small component. Consideration is also made to the height and nature of the plant which previously stood on the site, in addition to other development such as the A5, Leaton Quarry and the urban edges of Wellington and Telford, and the small settlements in the surrounding areas.
- 7.35. A visual appraisal of the site has been undertaken that considers the existing vegetation, built form and topography that largely screen views from the west, although planting within the site can be seen above these features in near distance views. There are limited views from low lying areas to the north-west, north and north-east, which are largely screened and softened by intervening wetland vegetation associated with the River Tern. Due to the high degree of visual and physical containment the application site cannot easily be perceived in the context of the River Tern and its associated vegetation from more elevated land to the north. The site does however provide open views immediately adjacent to its surroundings, from Station Road as it passes through the application site, while a woodland belt flanking the railway line partially filters near-distance views from Public Rights Of Ways (PROW's) to the south. There are also combinations of partial and open views from PROW's and roads on rising landform to the south, which are generally flanked by banked hedgerows.

- 7.36. The character of the night within the area has also been assessed, this concludes that the night sky immediately surrounding the site is rural and is representative of areas of '*low district brightness*' taking account of the surrounding light sources, including dwellings, public houses, commercial premises and leisure facilities. Roads within the area are unlit and as such there is no 'sky glow' evident in the surrounding area; such glow is visible from the urban areas of Wellington and Telford.
- 7.37. Taking the landscape, visual and lighting characteristics and proposed impacts into account the ES considers the implications of the development both during the construction period and over the longevity of the development. It suggests that subject to sensitively designed new build forms being on a similar scale to the existing footprint of the hard standing, and with gardens and reinforced structural landscape setting, the redevelopment of the brownfield site proposed has the potential to improve the current landscape character and features. In particular the proposed reinforcement of the landscaping around the periphery of the site would strengthen the landscape structure and recreate an enhanced interface with adjacent pasture fields and woodland. It is accepted that during the construction period there is potential for negative implications on views from surrounding uses including the PROW and residential properties, whilst also effecting local landscape character. Consequently it is necessary to consider proposed mitigation measures which will include the retention of landscaping on peripheral areas of the site and new landscaping being implement during the first phase of construction to reduce the adverse effects during construction to a moderate impact. This is considered necessary and acceptable and can be adequately controlled through conditions. Furthermore the early establishment of this landscaping will bring about beneficial effects on the visual amenity where the derelict brownfield site will be replaced by a legible development that respects its surroundings, within an improved landscape. The proposed development is contained and the panoramic views from the Wrekin will also be reduced overtime with the early establishment of the landscaping around the periphery.
- 7.38. At a local level policies UD2 and UD3 of the WLP require a positive visual and functional response to the local context. The proposed development is considered to have taken a sensitive approach to the context of development, located adjacent to the Allscott Ponds SSSI, with a gradual introduction to urbanisation at this locality through the ecology park acting as a buffer then the implementation of playing fields. In relation to Policy UD4, the proposed development would retain and enhance the Special Qualities of the AONB, notably the sense of tranquillity and scenic and environmental quality from the positive effects of redeveloping the brownfield site and enhancing the views from the surrounding area. Furthermore the proposed development would provide appropriate landscaping as an integral component of scheme by minimising light pollution and protection of trees throughout construction, in addition to a considered design response to the local context, including sustaining or enhancing character as outlined in the masterplan. Subsequently it is considered that the proposal complies with policies CS12 and CS15 of the Core Strategy.

7.39. Accessibility

National guidance outlines the importance of transport in facilitating sustainable development; In addition the NPPF recognises that proposals can contribute to wider sustainability and health objectives. Paragraph 32 of the NPPF states that *“all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decision should take account of whether:*

- *The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *Safe and suitable access to the site can be achieved for all people; and*
- *Improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

7.40. Paragraph 35 of the NPPF then goes on to advise that *“developments should be located and designed where practical to:*

- *Accommodate the efficient delivery of goods and supplies;*
- *Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
- *Create safe and secure layouts which minimize conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;*
- *Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and,*
- *Consider the needs of people with disabilities by all modes of transport.”*

The NPPF also states *“planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.”*

7.41. At a local level the Core Strategy endorses the location of development that will promote sustainable forms of transport through policy CS9, this includes the use of public transport, cycling and walking. This is reinforced by the Councils Local Transport Plan 2011 to 2026 which sets out the long term transport strategy, recognising that Transport has a key role in achieving the economic viability and developing communities where people want to live work and play, to create a successful prosperous healthy community that offers good quality of life. Six goals are therefore specified to achieve this vision:

1. Make travel more reliable and efficient, to attract jobs and support growth and regeneration;
2. Maintain highways effectively and efficiently;
3. Reduce carbon emissions to help climate change;
4. Allow everyone to access jobs, education, healthcare, shops and leisure;

5. Improve safety and security on the transport network and promote active travel choices which encourage people to be happier; and
6. Improve the quality of life by reducing the visual, noise, air quality and other impacts of transport on people to be happier.

7.42. The proposed development aims to address these visions through contribution to employment, supporting the rural economy and the funding of transport improvements. The provision of the bus service and the onsite facilities will reduce the dependence on the car and thus reduce carbon emission and equal opportunities by providing employment, education, retail and leisure facilities within this rural location. In addition through this variety of facilities it improves the safety and security of transport network in addition to promoting active travel choices, and thus reducing the amount of vehicular movements and the amenity degradation associated with that.

7.43. There is significant concern within the community that the local highway network cannot cope with the additional traffic from these proposals. The ES includes the assessment of road traffic supported by a transport assessment (TA), scoped following consultation with the Councils Highways department and the Highways Agency. The highway network assessed is significant including and not exclusively the direct B4394 linkages to the far eastern and western extents, Bluebell lane within Walcott, B5061 Roman Road that links Wellington to Shrewsbury, and the Holyhead Road M54 Junction 7. The B4394 Station Road is derestricted in the vicinity of the site and thus national speed limits apply; this is not appropriate for what is effectively a new village and thus the speed limit on Station Road will need to be downgraded to 30mph. According the indicative traffic management scheme has been designed to reduce this speed over a stretch of 1.25km of Station Road between 'The Plough' and 'The Duck' public houses. The indicative proposals include:

- Gateway treatments at either end of the scheme potentially consisting of signage, surface treatments or a physical width restriction;
- Raised tables at junctions and site access points with ramps appropriate for buses and large vehicle's;
- Surface treatments to indicate private driveways and direct access to clusters of residential development;
- Raised pedestrian crossings to link the residential development with the sports and social uses on the northern side of Station Road;
- A new footway along the southern boundary of the site;
- A consistent carriageway width no wider than 6m;
- Repeater features at regular intervals;
- 30mph speed limit with associated signing and lighting, and
- Appropriate directional signing

7.44. Whilst an outline application with all matters reserved for later approval, the proposal includes indicative access points to all four areas within the proposed 30mph zone. The first access point to the sports and social club within area 1 will be located on the exiting three arm priority junction from Station Road. The second access point to the western residential area will be 30m east of the first access; this is a new access located to the south of Station Road, taking the form of a three arm priority junction with 2m footways either side of the

carriageway. The third access point to the central residential area is at the same location of the existing access into the former sugar beet factory. This access was designed for significant numbers of HGV movement and due to the change of vehicles using the site, this design is no longer required; therefore the proposal will reduce the access point to that more a kin to residential development, with footways either side. The fourth access point is approximately 170m to the east of the third access point, providing access to residential units, primary school and other community facilities; this will take the form of a three arm priority junction with footways. The fifth access point will provide the allotments and associated small scale car park with access; it is envisaged this will from a priority controlled junction with Station Road.

7.45. An indicative layout of the development has also considered the highway nature through the scheme; this envisages a primary road extending through the site between the westernmost and central access points. This spine road will be approximately 6m wide sufficient to accommodate a bus service with associated stops; in addition it will incorporate footpaths and cycleways, with associated access points for various residential areas, adopting Home Zone principles.

7.46. Whilst this is an outline application it is considered necessary that the implications of traffic on wider areas are assessed, and in this case the council acknowledge the need to manage traffic to deter the new residents using the adjacent Wrockwardine village as a 'rat run' through to the M54; solutions have been scoped and officers are satisfied that the scheme can be developed that will provide such management; however such mechanisms are not being sought for approval at this time, and as such can be adequately controlled through condition. However there is still significant local concern with regard to the existing traffic flows within the villages of Admaston and Wrockwardine. The application consultation process has brought forward further comments which consider that these schemes do not effectively deal with the proposed increased traffic flows within the surrounding areas. The issues raised include:

- A relief road: this in conjunction with a new junction off the M54/A5 has been suggested on a number of occasions by the Parish but this proposal is considered to be unnecessary when considering the scale of the development and its historical use. Furthermore the a new motorway junction off the M54/A5, for a single development of 470 units, would not in any way meet Highways Agency tests for such a scheme, and as such they have raised no objections to the additional traffic which has been modelled for the existing junction 7, in combination with a number of other schemes recently approved in this area.
- A 40mph entrance to Wrockwardine at Walcott Bridge: it is considered that the nature of the road here would make any reduction in the speed limit down from the national limits unenforceable. A simple signing and lining scheme would be ineffective and any vertical measures to bring speeds down would not suit the rural nature of the route. Furthermore the 5 year historic accident analysis of this area indicates no particular problems and thus
- A 40mph zone from the site to Admaston: The nature of the road here would make any reduction in the speed limit down from national levels

unenforceable. A simple signing and lining scheme would be ineffective and any vertical measures to bring speeds down would not suit the rural nature of the route. Furthermore the 5 year historic accident analysis of this area indicate no particular problems and thus it is considered that these proposals could not be justified by the Highways Authority.

- Pinch point traffic lights at the Railway bridge at Allscott: It is considered these are not required as existing traffic management is considered acceptable. Furthermore the 5 year historic accident analysis of this area indicates no particular problems with its operation.
- Series of tabletops at Admaston: Details of a traffic calming scheme through Admaston have been requested via off site planning condition. Installation of vertical features could form part of the scheme but specifics will form part of further consultation outside of the planning application, prior to the submission of any final scheme.
- Pedestrian crossing in Admaston, high intensity LED lights on Belisha Beacon: Details of a traffic calming scheme through Admaston have been requested via off site planning condition. Installation of Belisha could form part of the scheme but specifics will form part of further consultation outside of the planning application, prior to the submission of any final scheme.
- Series of tabletops at Wrockwardine: Details of a traffic calming scheme through Wrockwardine have been requested via off site planning condition. Installation of vertical features are likely to form part of the scheme but specifics will form part of further consultation outside of the planning application, prior to the submission of any final scheme.
- Chicanes Allscott/Rushmoor Lane. Pinch point between the old and new entrances to the sewage works; post development speed limit and weight limit for Rushmoor Lane: Traffic associated with the completed development is expected to have a negligible impact on Rushmoor Lane and therefore a request for the above works are not justified. Furthermore a weight limit is not required as the site will generate little HGV movement once the site is completed. It must also be considered that Rushmoor Lane has historically carried significantly more traffic prior to the Sugar Beet and Maidens Haulage ceasing operations from Allscott, and Rushmoor Lane has just undergone a full resurfacing and lining refresh and the route is now of a particularly good standard.
- Alteration to the junction at 'The Plough': This junction is included within the scope of the works outlined under the traffic management plan.
- Adequate car parking provision for parents at school: Such details shall be submitted in future reserved matters/full applications on the site and will be assessed at the time.
- Footpath from Wrockwardine to Admaston: such request does not relate to the development, and thus cannot be justified to meet the required tests for planning conditions
- An expectation that existing public rights of way from the new development will be marked and maintained: A £25,000 contribution has been requested for improved Rights of Way.
- Traffic management should begin immediately the development is started, not upon completion of 25% of the development: Traffic

management is essential to be controlled and thus has been requested to be in place prior to first residential occupation.

- Construction of a new station and Aggregate deliveries should come via rail: Unfortunately the cost of creating a station at this location is not justified. The ability to load and unload is also restricted; subsequently the additional costs to developers from the Council insisting that materials are delivered by rail cannot be justified and thus materials will be transported using road network. Construction traffic is controlled on such large scale developments through the use of a construction management plan.
- Alteration to the junction site line at Rushmoor Lane junction and the staggered crossroads on the Longden on Tern Road: The visibility meets the required standards therefore it is not considered that improvements are necessary; however it is recognised there is some low level verge growth within the splay which will be maintained regularly as part of the highway maintenance programme.

7.47. The neighbouring authority, Shropshire Council has also considered the application as some traffic will inevitably disperse to the west of the application into their Council area which lies approximately 1 mile to the west of the site. Further information was received with regard to this network, taking account of Norton Crossroads and the B4394/B4380 Junction; this concluded that the marginal amounts of traffic which would reach these junctions did not result in a requirement to undertake a junction capacity assessment. Whilst Shropshire Highways raised concerns with regard to the trip distribution methodology, they have also recognised the previous use of the site and the high levels of HGV traffic it generated in the number of trips associated with that use, which can be accommodated within the existing network. Accordingly it is considered that the proposal will not prejudice the safety of the wider highway network.

7.48. Therefore with respect to the specific highway implications, it is considered that a number of conditions are required to ensure the development is technically achievable without harm to the surrounding network. These include a full scheme of highways improvement works to the B4393 in the vicinity of the site; the scheme shall include suitably located gateway features at either end of the scheme; Raised tables and alternative surface treatments at junction and access locations; Raised pedestrian crossings; Footway/cycleway provision; Appropriate directional signing strategy; General carriageway width no wider than 6m and a 30mph speed limit with the associated signing and lining. In addition a full scheme for the management of traffic in the village of Wrockwardine is also included as a condition, as is a scheme for Station Road Admaston. Standard conditions relating to highway details and construction traffic management plan are also applicable, and considered reasonable. A travel plan is also requested; this should be a 'living' document which sets out creative and innovative ways to encourage sustainable travel to, from and around the site, and a demonstration of the enduring viability of the development.

7.49. The ES considers the environmental impacts of traffic in relation to noise, vibration, visual impact, severance, driver delay, Pedestrian delay, Pedestrian

amenity, Accidents and safety, Hazardous loads, Air pollution, Dust and dirt, Ecological impact and Heritage and conservation. The assessment established that the proposal would not have significant effects on all but three of the roads surveyed and of the affected roads mitigation measures including the implementation of the Station Road Traffic Management Scheme would seek to reduce the effects to minor adverse. The contributions and on site works for improved public accessibility also assist the sustainability creating a positive effect. Furthermore, it is proposed to provide a Travel Plan to all new residents and visitors to the Proposed Development raising awareness of sustainable modes of travel. Overall it is concluded that the increase in traffic associated with the proposed development will not create a significant impact in environmental terms.

7.50. Railway:

Sustainability is a key factor to the application, and as the site abuts the railway line pre-application discussions examined the ability to include a train station at the outset. Network Rail has produced guidance for promoters and developers 'Investment in Stations' May 2011; this states "Rail needs to focus on what it does best. This is mainly focused on transporting large numbers of people at high speed, over long distances - such as on inter-urban routes where demand is strong, and also in built-up areas with high population densities, where a critical mass of population exists. Here rail can be very successful at operating an efficient and cost effective metro-style service with frequent stops and high footfall. Such a service can be high frequency services, run at short time intervals, as trains typically run at similar speeds and with identical stopping patterns. It is important to understand that if a development is situated adjacent to the railway, it is not always the case that a new station can be built to serve it... Rail is less suited to serving more dispersed populations, such as in some rural or outlying areas. It may be difficult to open stations on routes with limited track capacity and/or a mix of freight, inter-urban, middle distance and local services. Train pathing on routes such as these is often very tight and the addition of a new station call may simply not be feasible if speed profiles of existing services are to be maintained (i.e. there may not be any space in the timetable to add any further services, or, the additional time taken for trains to decelerate, call at a station and accelerate up to line speed afterwards is such that this would create delays to services already running)..” In this case, whilst it is noted that this is large development it will not have a critical mass of population to make any stop cost effective, nor is there capacity on this network to implement said stop. Accordingly the ability to include a station within the masterplan was ruled out at an early stage.

7.51. There are two existing rights of way cross the railway, these are in the form of a footpath level crossing located to the south east of the site and a bridleway in a central position to the south of the site. Network Rails records indicate approximately 41 trains per day (two way) cross this track including 4 passenger trains per hour. In addition the records indicate that pedestrian

movements are currently infrequent. The footpath level crossing facilitates the Shropshire Way, a long distance leisure route which is managed and funded by various local access groups. The crossing is of a relatively good standard and maintains stiled entrances on both northern and southern sides of the track; raised gripped crossing panels to aid crossing and reduce trip hazard; provides good visibility in both directions; and has clear warning signage.

7.52. Network Rail undertake regular assessment according to the All Level Crossing Risk Model (ALCRM), which categorises sites according to physical characteristics such as the approach to a crossing, the number and type of trains travelling through a crossing, the types of users crossing and their behaviour, their frequency and the safety measures that are in place. The assessment consists of two scores:

- Individual Risk – This only applies to users of the level crossing. The score is presented as a letter ranging from A to M where A is the highest value and M is the lowest.
- Collective Risk – This considers all users of the level crossing including pedestrians, road vehicle drivers, train staff and passengers. It ranges from 1 to 13 where 1 is the highest risk and 13 is the lowest risk.

7.53. An assessment of the Allscott level crossing by Network Rail in March 2012 indicates that the individual risk is C and the collective risk is 10. Network Rail originally concluded that the proposed development would result in a change of this calculation C10 to C6, and thus objected to the application on the grounds of intensification of the level crossing, taking account of the increased usage, increased crossing time and the general change in the environment. Network Rail subsequently requested either the provision of a pedestrian footbridge at a cost of £400,000, or the diversion of the Shropshire way PROW 8.

7.54. The applicant subsequently responded to this with further assessment; this examined the existing level crossing and the usage. Pedestrian surveys indicated 3 pedestrian movements over a two day period at the level crossing, and a total of 22 at the underbridge demonstrating the current preferred route. Utilising this classification the assessments compared this usages against a similar level crossing which again witnessed two movements per day which was classified with the risk of C7. Thus network rail was challenged with the classification of the level crossing as existing from C10 to C7, whereby the change in risk from C7 to C6 is thus significantly less than a change from C10 to C6. It is acknowledged that the rights of way exist, however the master plan illustrates how approximately 90% of the dwellings are located to the west of the underbridge, and thus 90% of the occupants who wish to access the southern side of the railway are likely to use the existing PROW rather than walking /cycling past this point to the eastern level crossing. In addition the underbridge is a much higher quality route that will attract people to use this over the other crossing which is already evident from the current survey. It is also recognised as to what the development contains which include a number of recreational activities within the site, with no real purposes for using such crossing unless for recreational walking, it will not be used as a connection for other uses; thus the actual use of these footpaths will have the limited audience.

7.55. Network rail have not raised any objection to the use of the PROW 19 that runs alongside the track and passes underneath through the underbridge, in addition if approved it will attract a S106 contribution of £25,000 towards PROW improvements, which will again assist in the attraction to the use of the underbridge. The applicant investigated the two proposed mitigation measures which network rail suggested, and concluded neither were appropriate. Consideration of the pedestrian footbridge posed issues with development occurring on third party land, lack of certainty due to requirement for planning consent, and the addition £400,000 to the S106 agreement would have implications to viability requiring further reductions elsewhere consequently tipping any balance for a sustainable scheme coming forward. Whilst in principle it was accepted that the footpath (PROW 8) could be diverted west to converge with the bridleway (PROW 19) and cross under the underbridge, the diversion requires third party land from the owner of the arable land to the south of the railway and with no requirement to accommodate the PROW diversion route release of the land the application would be held to ransom, and thus be undeliverable; such circumstances are not acceptable which is evident in a recent appeal decision in Barrow, Lancashire (APP/T2350/A/13/2190088). This case is reasonably similar to the proposed application in terms of scale (504 units), railway network (50 x 2 way trains per day), similar ALCRM scores, similar levels of use (2 pedestrians per day), good visibility and stiles on approaches, however there is only one level crossing with no alternative in the vicinity of the development site, unlike this application site; Network Rail objected on the basis that the development would result in a material increase in the type and volume of users over the level crossings, from C7 to C6 and thus requested either a new bridge or the diversion of the route as they have done in this application. The SoS responded noting that there would be no certainty that a new footbridge would be granted planning permission, and that there was no certainty that the third party landowners would agree to its delivery; no was there any certainty of the delivery of diverted routes from such third parties. In responding to Network Rails comments regarding increased usage and children in the vicinity of the crossing, the SoS concluded that the number of people expected to use the level crossings after development was not large and that individuals have a responsibility to take head of warning signs and to exercise due caution. Equally parents have a responsibility for their children's whereabouts and conduct in relation to railway safety as they do in relation to road safety. Thus the SoS agreed with the appellant's mitigation measures to a value of £10,000, and the appeal was approved retaining the one level crossing.

7.56. In this case the applicant has pursued this appeal decision with Network Rail, together with the ALCRM score, the statistics of network rail and the actual site assessment and suggested mitigation measures. These included:-

- treatment to the 'decision point' of the crossing, which is the point at which users decide to cross;
- further upgrades to existing signage and stiled entrances could be provided;
- increased signage to promote PROW 19 and the underbridge as the primary leisure route; and

- Improved fencing and boundary treatments.

7.57. Network Rail have maintained that there are still concerns over the potential for increased usage at the level crossing and should the crossing remain open it will always be an option to cross, thus there is a need to mitigate against the increased usage and requested a contribution in line with the Barrow decision of £10,000; the applicant has agreed to this provision. Officers consider that at this site, the application package including the alternative option to cross, which is located by the majority of residential properties, reduces the risk further than the Barrow site; and whilst an element of risk still appears, the crossings will be further supported by the £25,000 towards PROW with the improvement of the underpass to encourage users to cross the railway at this location. Consequently as the risk is still limited, the proposal is not considered to prejudice the safety of railway users or those on the PROW to warrant the refusal of the application. The other elements of concern raised by Network Rail including boundary treatments, drainage, earthworks, landscaping, scaffolding and risk assessments, can be controlled through pre-commencement conditions.

7.58. Bus services:

As existing the B4394 is a bus route for three services (E1, 529 and WR14); these routes stop at Allscott and Walcot, however there are no bus stops along the B4394 within the vicinity of the site, and the services are currently limited in their frequency. Route E1 runs from Shrewsbury to Telford on Saturdays only; route 529 is for the same journey, however only at school times; and route WR14 is a local service based at Wellington. Therefore in order to ensure the site is well served by public transport it was identified at an early stage that a dedicated bus services would need to be provided by the developer in the form of a S106 contribution for a fixed period. The transport assessment suggests a service should provide a half hourly services through the peak periods and potentially through the day, linking the site with Wellington and a bus should have the ability to turn or loop within the site.

7.59. Highways officers have considered the application and made a request for £375,000 to secure a 3 year bus service to and from the site. This would fund an hourly service between the site and Wellington between 07:00 to 18:00; however it would be specifically decided in relation to the network at the time of implementation with the local private operator Arriva, which would then be subject to continuing review. In addition the council are obliged by statute to provide transport to and from school for distances of more than two miles from the nearest primary school or three miles from the nearest secondary school. In this case a request was made for a further £350,000 towards the cost of transporting the secondary pupils to schools for the first 5 years. The applicant examined these requests and concluded that the scheme could not support a duplicate contribution totalling £725,000. In the interests of sustainability and viability of both the site and the bus service there is merit in combining both requests to ensure continued provision by the operator. For the first year with a likely build of 50 units per annum, modelling suggests only 8 children (of

secondary school age) are anticipated to require transport, this can be accommodated with the existing taxi/ minibus facilities, however year 2-5 will require a dedicated minibus services, and at year 6 where 35 children are likely to come forward from the site it is considered this can then be provided on the new bus service. A similar service is in operation within the borough this is the No 65 that provides an hourly service, accommodating predominantly school children at peak times, collecting from Londgen, High Ercall, Roden and Roddington, making its way to Wellington via the catchment school at the Charlton in Dothill. Therefore from this experience it is anticipated that the proposal will introduce a full bus service with approximately 50% occupation. This reflects an existing model of public / school transport and is considered more viable for the bus operator and genuinely likely to succeed in being a viable entity for the operator to continue after the subsidised service ends. Accordingly Education, Highways and the applicant have agreed to a combined bus contribution of £500,000 providing a service for 5 years.

7.60. Ecology

The NPPF underlines the Government's commitment to sustainable development and the conservation, enhancement and restoration of wildlife and geology ensuring that developments take account of the role and value of biodiversity and green infrastructure. It states that the planning system should contribute and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible; and local planning authorities should refuse permission if significant harm resulting from a development cannot be avoided, adequately mitigated or compensated for. Opportunities to incorporate biodiversity in and around developments should be encouraged. Local policies contained within the CS and WLP continue and support this theme. Taking account of the site's rural location and the site's previous role in supporting a SSSI, that sits adjacent to the boundary of the application, ecology has been a significant consideration throughout the application. Accordingly the ES considers the ecological effects and is supported by a number of surveys, these include a Phase 1 habitat survey, Arboricultural survey; amphibian survey; Reptile Survey; Badger Survey; Breeding Bird Surveys; Bat Surveys; Water Vole and Otter Surveys.

7.61. The site is 36.6ha and comprises amenity grassland, scrub, broadleaved plantation woodland, arable land, standing water, semi-improved grassland, defunct hedgerow and ditches, and can be broken down to the following:

- Area 1: This area is amenity grassland, neutral grassland, bare ground, broadleaved plantation and scrub. The area does not meet the BAP definition of Open Mosaic Habitats on Previously Developed Land.
- Area 2: 20.6ha and is part of the old plant site comprising hard standing, broadleaved plantations belt, modified neutral grassland, arable field and 2 small ephemeral water bodies (one dry).

- Area 3: 5.9ha of agricultural land with plantation woodland and no significant field margins. Semi-natural broadleaved woodland surrounds this area.
- Area 4: 0.8ha of arable land with a defunct hedgerow and a short ditch which is not suitable for water vole.

7.62. None of the habitats on the site are priority habitats and the hedgerows on the site are not 'important' under The Hedgerow Regulations.

7.63. SSSI:

The Allscott Settling Pools SSSI is due north of the proposed development site but is hydrologically separate from the proposed development and is in third party private ownership; there will be no physical loss or damage to Allscott Settling Pools SSSI. The ES has however considered the implications of the development. Historically, the SSSI was hydrologically connected to the site however, water supply to and circulation around the lagoons ceased on closure and demolition of the plant; and it is understood that the management of the SSSI is achieved through licensed abstraction from the River Tern. The SSSI is dominated by lagoons, reed bed and scrub, and its assessment from Natural England ranges from favourable condition to unfavourable. The unfavourable area is identified as land to the north of the River Tern - approximately 38%, reasoned by "planning permission general", implying that the site is at risk due to granted intended or potential future planning applications. The ES identifies that the potential effects on this area during construction may disturb bird species supported by the SSSI; due to noise dust and vibrations. Surface water run-off also has the potential to wash sediment or chemicals from the construction areas into the lagoons. However, area 1 is proposed for recreational use which will result in the reprofiling, including some construction works which are not intensive, the remainder of this area will have some minor clearance and implementation of landscaping. Accordingly such measures will not have significant potential to adversely affect the SSSI

7.64. Arboriculture:

An Arboricultural survey accompanies the ES, this identifies the need to remove 8 trees as part of Arboricultural best practice. A further 79 trees including individual trees and trees within groups are estimated to required removal during construction, however this is only an estimate and will be confirmed when the reserve matter layouts are completed in association with a Arboricultural Impact Assessment. Therefore it is considered that the effect on tree stock across the 36.6ha site is not significant; furthermore it is also noted that no objections have been raised from Arboriculture and subject to conditions the proposal is acceptable. It is noted however there are some trees which are important and highlighted for retention; the proposed reserve matters

scheme will need to address such trees and a 12m oak should form a feature trees with appropriate landscaping around.

7.65. Amphibians:

All ponds within 500m of the site were investigated for amphibians, as this is the distance at which great crested newts are generally accepted to travel and is therefore creates a zone of influence relevant to this species. The river tern falls within this area and thus prevents a significant barrier for amphibians; therefore ponds to the north of the river were excluded. Severn ponds were identified within 250m of the proposed development; P1 and P4 scored 'Average' Habitat Suitability Index, P6 and P7 scored 'poor' and P3 and P5 scored 'Below Average.' P2 was a lake. A further four ponds were identified between 250 and 500m; one was dry, one was inaccessible, one was a reservoir and one was heavily shaded; therefore all four of these ponds were scoped out of any further pond surveys due to separation distance and poor habitat quality. During the presence absence surveys, no Great Crested Newts were recorded, but further amphibians were noted: P1 and P4 contained Common Toad, Common Frog and Smooth Newt. Pond 6 & 7 also contained Smooth Newt. Subsequently no further consideration of Great Crested Newts is required subject to following basic precautionary methods of working during site clearance to avoid impacts upon widespread amphibians including Common Toad, Common Frog and Smooth Newt. The ES considers that there will be an adverse impact on the habitats, however this is a temporary loss, being reversible over a moderate to long term period when populations have the ability to replenish. The magnitude of this impact is therefore considered to be low.

7.66. Reptiles:

A reptile survey was carried out on areas of habitat suitable for reptiles in Areas 1 and 2. Areas 3 and 4 are dominated by arable and have very low suitability for reptiles, and therefore scoped out of further investigations. During the survey period in 2012 no reptiles were recorded, and thus the proposal will not have an adverse effect on reptiles.

7.67. Badgers:

A single badger sett was recorded on the site which could potentially be damaged or destroyed by the proposed works. The badger report sets out a number of options depending on whether the sett is intended to be protected or destroyed under licence with an artificial sett provided on the site but does not set out which option has been chosen and therefore what the required level of mitigation is. The agent has requested the chosen option is finalised within the reserved matters stage, allowing the most suitable option within the development, this is considered acceptable subject to an appropriate condition.

7.68. Breeding Birds:

A total of sixty-one bird species were recorded on the site in 2012 including two Schedule 1 species (Barn Owl and Little Ringed Plover), one species of

conservation priority (Lapwing) and one bird of conservation concern (Oystercatcher).

- 7.69. An active barn owl nest was observed within area 1, and a pair was recorded foraging on the site. It is considered that there will be no loss of the Barn Owl nesting habitat and the area around the active nest box in area 1 will not be affected significantly but the loss of arable land across the whole of the site would represent a loss of foraging area for this species. The survey recommends that one additional Barn Owl box is provided in area 1 and the two unoccupied boxes could be moved to this area also. This is considered appropriate.
- 7.70. Two pairs of Little Ringed Plover were recorded nesting in Area 2 within the former plant area, consideration is therefore needed to provide a suitable habitat. The proposals include 0.5ha of suitable habitat created in the eco park (Area 1) for Little Ringed Plover and other ground nesting species; this area will comprise bare ground and gravels and will be managed in the long term to maintain the suitability of the habitat. This new provision will need to be in place prior to the removal of any existing bird habitats to ensure that there is no breeding season where the birds do not have suitable habitat on the site. The ecological area will also provide for the additional species including the two pairs of Lapwing, and one pair of Oystercatcher that were all recorded in Area 2. Habitat for small passerine birds will be enhanced through the landscape planting scheme and a number of nest boxes will be provided across the site to ensure the provision of nesting opportunities for small birds. Consequently it is considered that the proposal has adequately considered the implications to birds and provides sufficient mitigation that will be controlled through conditions.
- 7.71. The ES considers the implications on breeding birds and considers that the construction period will have an unavoidable effect however this will be temporary over a short to medium term. The proposals are not limited to site clearance and development will result in the creation of new open spaces and gardens; it also recognises that both construction and landscaping will most likely be delivered on a phased basis, thus not all nesting habitat will be affected simultaneously and as each Phase is completed additional habitats will be made available. Additionally, most passerine species present within the Application Site, including starling, house sparrow, dunnock and song thrush, could utilise offsite habitats. Effects of displacement and loss of habitats arising from site clearance and construction would be temporary, which could be reversible on completion of construction for most species. This is considered acceptable.
- 7.72. Bats:
A daytime ground based assessment of potential roosting habitats and two activity surveys for bats were carried across the site in 2012. The surveys included range of small buildings, huts and the sports pavilion on the site which concluded as having negligible potential for roosting bats. No trees with significant bat roosting potential were located on the site; some trees with low

potential and four mature trees were identified offsite with moderate potential which will not be impacted. The activity surveys of the site recorded Common Pipistrelle, Soprano Pipistrelle, Noctule, and *Myotis sp.* (Whiskered/Brandt's and Daubentons) bats foraging and commuting around the site largely focussed along the woodland at the edge of area 2 and the tree lines and lagoons in area 1. The ES considers this information and considers that the proposal will therefore have limited effect with regard to roosting bats; however whilst this is negligible there is a need to follow best practice measures to ensure the species remain protected. Construction activities have also been considered in the ES concludes that the proposal will not result in fragmented or isolated habitats; any loss of isolated habitats will be temporary and as woodland/plantation edge and tree lines will be retained, foraging and commuting opportunities will remain. Construction activities will occur only during daylight hours and night time lighting will not be significantly different from current levels; as such potential impacts affecting foraging and commuting bats are not significant.

7.73. Water Vole and Otter:

No suitable habitat for water vole or otter was recorded on the site (the River Tern is to the north and supports otters) therefore no further survey work was considered necessary; no concerns are raised by the council or Natural England and thus acceptable.

7.74. Ground contamination and stability

The NPPF recommends that planning decisions should ensure that new development is appropriate for its location taking account of the effects of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution. It states *"Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Planning policies and decisions should also ensure that:*

- *The site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;*
- *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- *adequate site investigation information, prepared by a competent person, is presented."*

7.75. A closed landfill site is located adjacent to the north western boundary of the site that was operated under a license by British Sugar from the EA. The

landfill site was licensed to accept materials from the factory itself, limited to ash from solid fuel furnace, gravel/beet material and lime/limestone, and is now capped and not accepting any further waste materials. Gas monitoring of boreholes within and surrounding the landfill is carried out on a monthly basis, as part of the permit requirements and considered in the desk study.

- 7.76. The geological maps indicate that the site is underlain by the Bridgnorth Sandstone Formation, a Principal Aquifer. These are geological strata that exhibit high intergranular and/or fracture permeability, and usually provide a high level of water storage supporting water supply and/or river base flow on a strategic scale. The Bridgnorth Sandstone is overlain at this location by Glaciofluvial sands and gravels, classed as a Secondary A aquifer and Glacial Till deposits, classed as unproductive Strata. Secondary A aquifers are permeable strata capable of supporting water supplies at a local rather than strategic scale and in some cases forming an important source of base flow to rivers. Furthermore the site is located in a Source Protection Zone for the onsite licensed abstraction; and thus groundwater protection is an important consideration. The ES recognises this and consider the locations of the nearest surface water features to the east (drainage ditches) and to the north (the ponds and wetlands associated with the SSSI), considering that there is a moderate to high sensitivity of any contamination that may migrate away from the application site.
- 7.77. The application therefore considers these aspects through the ES and is accompanied by a Ground Investigation Desk Study that preceded an intrusive ground investigation (GI) to characterise the contamination status of the near surface deposits, and target the potential sources of contamination identified within the desk study. The GI identified localised evidence of contamination, which were generally low concentrations of contaminants. In association with the past use, it is understandable that the highest concentration of contaminants were within the brownfield area – area 2, containing heavy metals, hydrocarbons and some asbestos. This does not preclude the site from development it does however pose a risk which must be carefully controlled and mitigated against. The ES therefore considers that the receptors for this contamination could include the occupants of any proposed developments, groundwater and surface water courses, and buried concrete. In addition, the proposed development could be at risk from ground gases generated in the backfilled areas at the site. Consequently the GI and ES conclude that further GI is undertaken and targeted remediation is undertaken. Both the EA and council are satisfied with this and considered subject to condition the site can be adequately developed without risk to the environment through land contaminants. These conditions would include a further GI, including a detailed risk assessment, verification plans and verification report demonstrating completion of the approved remediation scheme.
- 7.78. The site itself is relatively flat and generally with such levels land stability does not normally causes a concern; however taking account of the previously developed site it is know that there are large trenches and sub ground structures or variable bearing capacities, therefore it was identified at an early state that stability declaration forms would be required. The application is

supported by a statement from Wardel Armstrong who has completed the authorities slope stability declaration form, which has required full consideration of the site prior to determination, and concludes there is no risk to land stability. A further statement addresses the stability of the proposed earth bund around the nesting area within the ecological park, assessing the slope to the river Tern, the adjacent lagoons and the landfill embankment concluding that the proposal will not have an adverse effect on or be effected by ground stability. Thus the proposal has adequately assessed the ground conditions and stability and accords with both local and national planning guidance.

7.79. The ES considers the implications of the development on ground conditions recognising the variable nature of ground across the site, including the heavy metal and hydrocarbons in addition to Asbestos in area 2. Accordingly during the construction of the Proposed Development the potential exists for construction workers to be at risk of ingestion/inhalation of contaminated soils/asbestos. There is also a risk of contamination of surface water runoff and contaminated surface water infiltrating into groundwater. In order to mitigate these effects a programme of further ground investigation and targeted remediation will be undertaken and standard measures such as the issue of appropriate protective clothing to construction workers will be undertaken. Successful implementation of these measures will remove any adverse effects. Following implementation of these measures negligible effects from existing contamination on future users and residents of the Proposed Development are anticipated. This approach is considered acceptable and such the recommendations of the report will be controlled by condition.

7.80. Noise and vibration

The NPPF recognises that Noise pollution impacts negatively on people's quality of life. As outlined above the Framework makes clear that planners must seek to avoid noise pollution as a result of new developments, and to protect tranquil areas prized for their peace and quiet. At a local level the Core Strategy and Local Plan adopt a similar theme, recognising the need to meet that of the present without compromising the ability of future generations to meet their own needs and thereby ensuring a better quality of life for everyone, now and for generations to come.

7.81. The site is surrounded by a number of uses that have a bearing on noise levels within the surrounding area that need to be assessed, these include road noise, transport noise and neighbouring commercial uses; subsequently the ES is accompanied by a noise survey. The noise survey indicated that road traffic was audible from all monitoring locations from a combination of sources including the A5, M54 and B4394; railway noise was audible from all locations; some industrial noise was recorded at one monitoring location; and noise from nearby kennels were audible at two locations.

7.82. The LPA has the considers the implications of noise based on notional Noise Exposure Categories (NEC) as set out in the WLP, which recognises the generally low background noise within the borough and seeks to maintain a high quality of development. This considers where sites fall within NEC A noise is not a determining factor; where sites falls in NEC B development should take

account of noise constraints and where appropriate impose conditions to mitigate against noise; sites within NEC C planning permission should not normally be granted, however where considered appropriate conditions for mitigation measures should be imposed; within NEC D planning permission should normally be refused, the majority of the site falls within the NEC B along the site boundary which was heavily influenced by the adjacent road network. Adjacent to the railway line this remains as NEC B during daytime and rises to NEC C at night; this location was measured some 8m from the nearside rail head, and stepping a further 4m into the site noise levels drop to NEC B. No area fell within NEC D. Therefore the assessment concludes that the site can be developed subject to an appropriate level of noise mitigation which using acoustic glazing would reduce most noise to an acceptable level, and recommends a more detailed analysis of road traffic including that modelled from the site; this should accompany the first reserve matters application. Furthermore the careful use of site layout will also ensure that buildings are sited in appropriate positions away from the railway line and roads; this should be assessed further once the layout is confirmed.

7.83. The site has also been subject to a vibration survey taking account of the adjacent railway line. The assessment concludes that the vibration measures taken are below the criteria that are likely to result in complaints from proposed occupants nor will they result in the structural damage to any building; thus the effects of vibration will not require mitigation. The ES concludes therefore vibration effects on the proposed residents are negligible.

7.84. The ES considers the implications of the development on the environment. This considers that the activities carried out during the earthworks and construction phase of the Proposed Development have the potential to generate short term increases in noise levels above the recommended noise limits, set in accordance with current guidance, at existing sensitive receptors surrounding the Application Site. The use of heavy plant associated with the earthworks and construction works also has the potential to give rise to ground borne vibration. Given the small distances between the construction activities and the nearest sensitive receptors, some sensitive receptors may experience minor adverse noise and vibration impact; however, this would occur only for short periods as development moves across the Application Site. Mitigation for this would therefore be necessary and can be achieved through restriction on working hours, and implementing methods of best practice reducing any effects to negligible with only brief periods of minor adverse impacts likely at a local level. Future road traffic noises are considered and identified as negligible in both short and long terms. Mitigation will also be required to the proposed primary school to reduce internal noise levels, in addition to an appropriate buffer zone to the proposed play areas to reduce the impact on the proposed residential elements.

7.85. A nearby business, Sunnymead Kennels has raised concerns with regard to potential complaints from the proposed occupants with regard to noise generated by the kennels, and considers that the noise report has not taken account of the business to give appropriate mitigation measures to ensure the vitality of the business is protected. The consultant has confirmed that the

report reflects noise predications from the Kennels at the proposed dwellings. The methodology used is considered robust by the author, and the Councils Environmental Health officers have raised no concerns to such methodology. Again with the use of mitigation to the properties there are no concerns with regard to potential noise on the proposed residents.

7.86. Air quality

The NPPF identifies that air quality issues including dust emissions should be considered through the planning process, and thus the application has taken account of the potential effects on the environment providing a modelling assessment that considers the temporary effects of the development through the construction phase (dust and construction vehicle emissions) and the completed development (road vehicles). The ES considers that the effects that could occur during construction include:

- Dust deposition, resulting in the soiling of surfaces;
- Visible dust plumes, which are evidence of dust emissions;
- Elevated PM10 concentrations, as a result of dust generating activities on site; and
- An increase in concentration of airborne particles and nitrogen dioxide due to exhaust emissions from diesel powered vehicles and equipment on site.

7.87. It concludes that without mitigation measures the site will have a minor to moderate effect, however through the use of mitigation this can be reduce to minor adverse during the medium term. Subsequently mitigation measures are required throughout the construction period; these include damping down dust, turning off vehicles and plant when not in use, keeping earth mounds covered with sheeting, and using wheel washes where necessary.

7.88. During operation the ES considers that the proposal will only have an implication from vehicle emissions and as such the modelling suggests that the predicted concentrations are well below the accepted standards. Thus the residual effects over a short to long term would be negligible. Officers are in agreement with the modelling however there is a need to monitor this and therefore it is necessary for the applicant to fund such modelling. As a consequence the application accepts the provision of £500/year for 10 years to facilitate monitoring of NO_x within the area and incorporation of that data into the Council's Air Quality reporting framework.

7.89. Water Resources and Flood Risk

In addition to consideration of flooding and water recourses within the ES, a Flood Risk Assessment (FRA) accompanies the application. The site is located within Flood Zone 1 as defined by the EA flood maps, and therefore not at risk of fluvial flooding from the River Tern. There are a number of small ditches and water courses that are on or close to the application site; these have been assessed and it is considered that none will create a flood risk to the proposed development, and none pose more than minimal flood risk to the adjacent land.

A culverted water course is identified to the south of the B4394 that has been recognised for its biodiversity value; this will be diverted westward and then turn northwards to an open watercourse created in a green corridor, it will then flow back to the original course south of the B4394, no concerns are raised with regard to the proposed diversion. A small risk of groundwater flooding is identified to the areas to the south of the B4394, however it is considered development can occur at this location subject to some minor mitigation measures including adequate drainage design and the raising of finished floor levels. It is considered that the site is not at risk of flooding from sewer drainage and infrastructure located offsite; the majority of drainage infrastructure associated with the sites former use will remain in place however it will not be used as preferential flow routes through the infrastructure may create a flood risk to the proposed development from shallow groundwater and runoff; subsequently any drainage design details will need to carefully consider this at a later stage, with appropriate mitigation measures where necessary, this could include capping off particular routes; however the principles are considered acceptable for this outline application.

7.90. The proposed development will see a reduction of impermeable land to the south of the B4394, which represents a 6% reduction to the existing site, therefore improving the sites natural capacity requiring less attenuation of surface water runoff. This surface water runoff will be managed through a SuDS drainage strategy incorporating swales and attenuation ponds. The indicative scheme illustrates four attenuation ponds within the green infrastructure associated with the residential area; the attenuated flow associated with this will be discharged north to the River Tern in the diverted culverted watercourse. The indicative design also includes some permeable paving with sub ground attenuation and shallow detention basins. The location of the Aquifer in addition to the nature of ground contamination poses a risk toward the pollution of groundwater unless managed carefully, as a consequence soakaway drainage will require careful management and can be restricted through condition, as required by the EA, but it is also noted the FRA considers such infiltration of run off is infeasible to the south of the B4394 at the outset. The FRA has identified the need to provide attenuation capacity of 2,500 cubic metres, proving a 30% reduction of runoff rate from impermeable areas; this achieves the authorities and national guidance for brownfield run off rates.

7.91. To the north of the B4394 the ground can accommodate surface water runoff, whereby the drainage for the sports pavilion and carpark will be infiltrated into the ground via permeable paving. Run off from the sports pitches will be routed via swales towards the biodiversity area to the northwest, which will then in turn support the ground water levels of the SSSI and its lagoons. All SuDS will be located within the areas of green space that will be managed wither through a management company or adopted by the council. This mechanism is considered appropriate and will ensure the development does not adversely affect the surrounding area by virtue of flooding. Consequently it is considered

that the proposal has appropriately considered flood risk, and through the use of condition it complies with local and national guidance.

7.92. The ES has considered the significant implications of the development, during construction and operation considering the sensitive receptors; it then goes on to recommend mitigation measures during both phases. On completion of the development it considers that there would be minor beneficial residual effect on improving ground water levels as a result of the increased green infrastructure; in addition this effect is replicated on the ecological buffer zone, with minor adverse to negligible, or negligible as others. These aspects are considered acceptable.

7.93. Heritage assets

There are no Listed Buildings on the site; however, a number of listed buildings are located within 1 km of the Application Site, including several within Allscott. The nearest Conservation Area is located approximately 1.1km to the south-east at Wrockwardine, while Orleton Hall Registered Park and Garden (Grade II) is located approximately 2.3km to the south-east of the site. There are very few Scheduled Monuments in the vicinity of the site, one such monument is a ruined castle at Charlton Farm to the south-west of the site. The redevelopment of the application site will not have any impact on the setting of these features. The scoping for the ES scoped out heritage assessments, and consequently it is considered that there is not a significant effect on the historic environment. However there is a need for any reserve matters application to take account of views which contribute to the positive setting of the Conservation Area, in addition to the appropriate density and design; respecting the surrounding villages through the use of modest building heights.

7.94. Prehistoric to Roman period remains have been identified within the surrounding area. A prehistoric flint implement was found in 1914 c. 125m to the southeast of the eastern end of the site. In addition cropmark ring ditches likely to reflect Bronze Age funerary monuments have been noted immediately to the west of the site, accompanied by the remains of a circular single-ditched enclosure potentially representing a settlement of Bronze Age to Roman date. Later prehistoric and/or Roman activity is represented by a cropmark enclosure c. 70m to the south of the east end of the proposed development area. Subsequently an archaeological survey has been undertaken. No clear evidence of features with archaeological interest was recorded within the survey area, though a small anomaly was found, it is considered taking account of the location adjacent to a boundary of the site it may represent detritus accumulating within such areas. The other feature to note is the recording that follows the footpath through the site running north to south; however this footpath has been in place since at least 1882 and thus may also relate to detritus from this route. The survey concludes that overall there is no evidence to suggest further prehistoric to Roman activity is located within the site. The council has considered these comments, and the addendum to the ES which indicates no significant effect and thus raises no concerns with regard to the proposal on this site subject to conditions for a programme of works

7.95. Design and components

The NPPF recognises good design is fundamental to using land efficiently. More intensive development is not always appropriate; however, when well designed and built in the right location it can enhance the character and quality of an area. Density is a measure of the number of dwellings which can be accommodated on a site or in an area; and that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

7.96. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people. The NPPF advises that *“Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.

7.97. Paragraph 58 of the NPPF states that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimize the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Are visually attractive as a result of good architecture and appropriate landscaping.

7.98. Noting the sensitivity of the site, its current vacant condition and its lawful use, the proposed redevelopment of the site presents a number of opportunities to respond to the existing landform and topographical changes integrating the design of the proposed built development with the wider rural character. It should respect the existing character of the surrounding settlements, whilst protecting and integrating with existing field boundaries within the development site. The development should retain and supplement existing landscape features; it should respond to the existing topography of the application site and include specimen tree planting and SUDS throughout integrating the built development within the landscape. Existing tree belts, hedgerows and drainage

swales should be retained as a basis for the green infrastructure. Spaces should provide a multitude of functional uses through appropriately designed landscaping, including play, recreation, education, biodiversity and SUDS. Linkages and enhancements should also be established with the adjoining SSSI, using the sites contours and the reinstatement of native species. Any proposal should enhance opportunities for recreation and habitat connectivity by providing appropriate movement patterns through the site reinforcing links with existing footpaths to create locally distinctive green links. Development should be legible through the design of highways and associated planting, creating a sense of place.

7.99. The proposal considers the built form around the existing settlements and whilst it notes there is limited character around the immediate boundaries it considers the wider area of dwellings located within the settlement of Allscott, Wrockwardine and Rodington, with regard to the arrangement along converging lanes, inward facing arrangements contained by existing built form and vegetation. Recognition is made to the common materials and design features in the buildings that from the local vernacular, in particular noting the Duke of Sutherland properties, that would strengthen the new local character if applied to the development. Any design needs to have careful reflection to the constraints of the site, these include landscape and visual impact, noise from adjacent road and railway networks in addition to proposed and existing uses; in addition to buffer zone for the SSSI. These issues are noted on the opportunities and constraints plan that were prepared at the early stages of consultation with the local authority and the public, from which the later masterplan has derived from.

7.100. The masterplan submitted identifies the means of access into the site, infrastructure improvements, the amount and principle of development, landscapes and public open space proposals, illustrating how the uses are intended to work together to create a vibrant environment. There are 4 distinct areas whereby areas 2 and 3 are the primary focus for built form; area 1 and 3 to the north of station road remain relatively green through the proposed allotments, sports facilities and ecological enhancements. Area 3 at the eastern gateway for the site, proposes a 'front garden' approach to the development, gradually introducing the built form to the surrounding area. This is created by setting the built form to the rear of the site adjacent to the railway line with community uses creating a centre which then fronts a large village green which will include some form of public art provision. The location of this is derived from the adjacent use of Allscott depot which by the nature of the commercial use will have noise disturbance due to limited controls unless it is causing a statutory nuisance, subsequently the location of a school adjacent to this point reduces the impact on the proposed occupants in this area. The location of the community facilities at this point also allows the site to integrate with the wider Allscott village, providing short and direct access to the new facilities and increasing the sustainability of the existing settlement.

7.101. The western gateway to the site is marked by an entrance 'square' formed through the layout of homes. Within the site, the distinct areas are linked by footpath, road and green infrastructure connections, but will be distinguished

through variation in form and design detail. The existing tree pattern will be retained and enhanced, with homes set back and accessed to the north through a series of shared private drives. A variation of design will be required along this frontage to reflect the contrasting designs that are evident in the surrounding villages. The rural area demands a variety of housing, of scale, form, and design including wide and narrow frontages, ridge heights and pitches, materials, detailing; this again is reflected in the documentation stating each area will have an inherent variety of street and home types to create distinct areas and to integrate the wealth of green infrastructure. The main spine road that runs in an east-west orientation through all three areas of the site should incorporate sustainable drainage swales, forming an attractive and ecologically diverse green corridor through the site. The majority of homes should front on to open space, or surrounding tree and planting belts, and other areas of the site will have a more traditional village lane character, with winding routes designed to encourage slow vehicle movement.

7.102. The proposed density should vary across the site, in this case the proposal puts forward areas of terraced and semi-detached housing around the village green which integrates with the community uses and coupled with the central and main part having a lower density with the use of detached housing to front public open spaces on the periphery of the site. Overall it is anticipated the site will achieve 30 dwellings /ha, making efficient use of the land resource. The parameters plan also addresses the scale of the development, this will predominantly consist of two storey dwellings with some 2.5 storeys at key locations within the central and eastern parts of the site creating landmark buildings; the primary school shall be single storey, with the adjacent local centre rising to two storey commercial properties. It is noted that the conservation officer wishes to see a low key development, and officers consider it is appropriate to maintain a rural feel, but some rural properties have achieved 2.5 storeys in height and this could be appropriate subject to detailing, punctuations etc. Overall officers are in agreement with the masterplan provided and consider it necessary to impose conditions regarding development in accordance with it to ensure the appropriate form of development is consistent across the site, and not in any way weakened at the reserved matters stage. The proposal is a rural development, creating essentially a new village and thus standard urban form will not be accepted here.

7.103. The scale of the development is large and consequently it will be delivered over a number of years, and by a number of different developers. The primary school and eastern section of the site will be part of the initial delivery, with remediation beginning from this locality moving east to west in approximately 4 phases. There is therefore a need to consider phasing and delivery of both the development construction and design but this can be appropriately controlled through condition.

7.104. Planning Obligations & Viability

7.105. Affordable housing:

Saved Local Plan Policy H23 suggests that an affordable housing requirement of 38% would be pursued on all allocated housing sites within the urban area. This is increased within the Rural area to 40% as detailed in policy CS7; further support for this level is evident through the Council's 2009 Affordable Housing Viability Study which suggested that a requirement for 40% threshold should be set within the rural area. This site however is not a 'standard greenfield site' that would be anticipated to come forward within the rural area; it is a strategic brownfield site that is not only contained but requires significant investment and mitigation to achieve sustainable development without having a significant impact on the environment. Subsequently officers have maintained that the level of affordable housing to be considered is 38% on site provision, and having taken account of the applicants viability assessments officers accept the need to reduce this figure. In this case 10% affordable housing is proposed. This figure has been derived following protracted discussions relating to the viability of the scheme. A viability appraisal has been submitted and verified by the Council's Housing & Investment Manager who has responsibility for such matters. It is concluded that in order to provide the range of contributions necessary to make this development acceptable in planning terms, the reduction to 10% on-site provision is reasonable. Members are asked to note that the total costs of all S106 contributions will equate to £4,702,020, excluding the adoption of any open space / ecology park, and without the provision or adoption of the social club and sports pitches. This figure alone equates to a contribution of £10,004 per dwelling, which is significantly above the average rates of the borough, including any greenfield sites.

7.106. Education:

Paragraph 72 of the NPPF states that great weight should be given to the need to create schools in order to ensure that a sufficient choice of school places are available to meet the needs of existing and new communities. This is supported by WLP policy H22 which recognises that major new housing development will generate additional demands upon existing levels of education provision. Originally during pre-application discussions the Education department requested contributions circa £1.1m towards primary education facilities, as requests for new primary education facilities are normally triggered by approximately 750 homes; however on assessing existing capacity it became evident that any development would require the provision of primary school on site. Taking account of the number of units coming forward it was determined that a school to accommodate 156-200 pupils would be required; this will be a single form entry school, and both the land and construction costs are required from any approval. The area of land to be transferred to the council will cover 1ha, and after completion it will be given academy status.

7.107. There has been significant debate around the cost of the school over the past 12 months, and on submission of the application a realistic costing was provided to the Council by a contractor. The cost to plan, erect, equip and transfer the school is projected at £4.2 million. The applicant has always contended that the figure provided by the council is significantly too high and that in addition the proposed school will provide surplus spaces as well as the ability to extend catering for needs not generated by this development. Subsequently on submission of the application the draft heads of terms set out the ability to provide a complete package that included £3.7m for the school, in addition to the land. Following negotiations between the applicant, education and property & investment an agreement has now been reached by all parties for the provision of £3.9m in addition to land which will accommodate the primary school on site.

7.108. It is acknowledged that the site will generate a number of residents that will require secondary education and by taking account of the location of the proposal, which is greater than 3 miles from the nearest facility, the council is obliged to provide transport. Utilising the education formula the proposal generates a contribution of £690,225 towards secondary education, which would be invested in extending the nearest secondary school (Charlton School, Wellington); in addition a figure of £351,500 was requested to provide the means of transport to the schools. These figures were not included within the package proposed by the applicant and thus any additional figures have implications for the balanced package provided. It was considered that the provision of primary school education facilities was the Council priority and taking account of the significant contribution for the provision of the primary school officers have not pursued the contribution of secondary facilities, however contributions for the secondary school transport have been pursued. Following detailed discussions with both Highways and Education it is agreed that a combined sum of £500,000 can come forward to cater for both public transport and secondary transport over a 5 year period to avoid any duplication, as detailed earlier in the report.

7.109. Leisure and recreation:

The scale of the application triggers on site provision of leisure and recreation facilities, and the applicants have committed to provide an on-site Neighbourhood Equipped Area of Play (NEAP). The applicant can therefore appoint a management company to maintain this area or they can seek adoption from the council. Early indications had been made by the applicant that they would not seek adoption of the facilities however more recently an enquiry was made with regard to the costs for the Council to adopt these facilities. The initial estimated for this to take place is in the region of £100,000. The applicant has not yet confirmed agreement to the figure and thus the S106 shall remain flexible to allow either option. The costs of either scenario have been modelled within the applicants viability exercise and are available for either method.

7.110. Provision of open space / ecology park

There are large amounts of open space throughout the development equating to approximately 9.8ha of open space. This includes both blue and green infrastructure, enhancements to the existing tree belt around site boundaries and new formal open space through this area which contains the NEAP. Again the applicant had indicated that such areas would be maintained through a management company, however more recently an indicative figure had been requested; however due to the scale of the area and possible scenarios this figure has not yet been derived. The S106 is therefore written so that it can remain flexible to allow either option. A similar scenario is derived for the ecology park, however timings for the delivery of the ecology are imperative to ensure that the development does not have an adverse impact on wildlife and consequently the inclusion of its delivery should also be included in any legal agreement.

7.111. Provision of public art

The applicants are in agreement to provide public art on the site, which will come forward as part of the reserve matters application for landscaping of area 3, consequently no contributions are sought. The adoption of any area would fall under open space and thus is considered in the paragraph above.

7.112. Provision of allotments

Area 4 provides facilities for allotments; the applicant has indicated that this will be transferred to the parish council; subsequently no S106 contributions are sought for this areas adoption.

7.113. Provision of sports pitches

The proposed pitches identified in Area 1 are to be maintained by the existing Sports and Social Club and as such no contributions are sought for their adoption; however it is considered necessary that the legal agreement ensures the right for effective community use of the facilities through a community use agreement.

7.114. Highways:

In addition to the conditions as detailed earlier in the report it is necessary to provide contributions towards improvements within the wider area to mitigate against the effects of the development; following the traffic modelling, and consideration by the three parties – TWC Highways, Shropshire Highways and the Highways Agency. The requests for mitigation have only been made by TWC highways and in addition to the combined bus contribution to improve public transport facilities and cater for secondary school transport the following contributions have been agreed:

- £137,100 towards a traffic signal junction improvement scheme at the B5061 Roman Road/Holyhead Road Junction.

- £99,920 towards a roundabout junction improvement scheme at A442/A5223/B5063 Shawbirch Roundabout.
- £25,000 towards Public Rights of Way Improvements in the vicinity of the site.

7.115. Network rail:

Network rail have requested a contribution of £10,000 towards the improvement of signage at the Allscott Level Crossing, which is accepted by the applicant.

7.116. Monitoring:

- Monitoring contributions are sought for three areas, this includes:
- £5,000 towards Travel Plan monitoring and support
- £5,000 towards Air Quality monitoring
- £20,000 towards planning and financial monitoring of planning conditions and section 106.

The applicant has agreed the provision of these contributions.

7.117. The above S106 requirements are considered necessary and follow the guidance as set out by the CIL regulations 2010, whereby these contributions are necessary to make the development acceptable in planning terms, they are directly related to the development, and are fairly and reasonably related in scale and kind to the development.

8.0 CONCLUSION

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The proposed development is located entirely within the rural area. Policy CS7 provides guidance as to where development should be focused, and outside of this limited and within the open countryside strictly controlled. The application site does not lie in or near to any of the three named settlements and therefore would fall contrary to the Core Strategy in normal circumstances. However the proposal represents an exception to this policy, which was recognised by the Inspectorate at the Public Examination of the Core Strategy, who appreciated that this site had recently become available as a significant brownfield site, and that *any development* would be contrary to this policy, regardless of the proposal. Therefore its future use represented a problem at a strategic level, and consequently any use would need to be considered against the application of national policy. Whilst the Inspectorate was not entirely happy with this approach the Core Strategy was too far advanced with no evidence base for this site, and thus the Inspector gave allowance in his report to consider any future applications against national guidance at that time until the Core Strategy had been updated from 2016. This created a strategic policy approach for determining applications on this site.

8.2 The application of the National Policy criteria to this application is also reinforced where the local authority is unable to demonstrate a deliverable

supply of 5 years. In this situation development that is sustainable should be approved without delay, unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF when considered as a whole.

- 8.3 The proposal comprises of a number of elements to create a sustainable community, formed from the delivery of housing, primary education, local centre, play facilities and sports pitches, green infrastructure - including an ecology park and allotments. This will support the existing local economy in turn by creating demand for services as well as creating and supporting employment both directly and indirectly. The details of these uses have been researched and it is considered that a viable scheme that can be delivered. The proposed development will provide a number of facilities and its construction is considered sustainable, meeting the three sustainable threads required in the NPPF, having a social, economic and environmental role.
- 8.4 The proposed location has sensitivities within the wider area and these are identified and assessed, in particular highways impacts which therefore require adequate mitigation measures through contributions and highway works. The proposal will retain and enhance existing habitats and green spaces as part of the development and will provide a new ecology park as well as remediating a contaminated site. The landscape character within the rural area has been adequately assessed and it is considered that the proposal can adequately be accommodated on this brownfield site without causing significant harm environmentally, and thus there are no specific policies within the NPPF which indicate why development should be restricted.
- 8.5 The application was supported by an Environmental Statement. This considered a number of elements, and demonstrates that the adverse impacts of the development relate primarily to construction, including the effects resulting from changes to the landscape and views; noise from construction; and potential for surface and groundwater contamination. It concludes that subject to the proposed mitigation measures as set out in the ES and supporting appendices, that the adverse impacts of the development, including noise, transport, air quality, landscape, ecology, flood risk and water management, socio economics and ground conditions would be negligible and in most cases beneficial. There are no impacts that significantly and demonstrably outweigh the benefits of the development of this redundant brownfield site to form a viable and thriving community.
- 8.6 The proposal is supported by a masterplan which sets out a vision to create a new sustainable village, that will provide a range of high quality sustainable homes and supporting neighbourhood facilities that complement both the new and existing communities. The masterplan provides details on layout, landscaping, scale, access, phasing, details and materials and sets out how each of these address the constraints of the site, both physical terms and in policy. This masterplan will ensure the appropriate delivery of the development especially when a number of separate developers are envisaged to be involved in the construction of the development.

8.7 The proposal has generated considerable objection and concern locally in particular with regard to highway safety of the wider area; however the issues that have been raised have been carefully considered by the Highways Agency, Shropshire Highways and Telford & Wrekin Highways who have raised no objection to the development subject to appropriate conditions that include highway improvement works to the B4393 and a scheme for traffic management highway works for the village of Wrockwardine including those routes into the village. Consequently it is considered that the proposal can overcome technical issues associate with the development on a number of matters, and such conditions meet the required tests as set out in the NPPF.

8.8 Accordingly it is considered that the proposal as a whole creates a suitable community that provides a viable and plausible use of the redundant brownfield site that accords with planning policy guidance.

9.0 RECOMMENDATION:

9.1 To GRANT DELEGATED AUTHORITY to the Development Management Service Delivery Manager to then refer to National Planning Casework Unit on behalf of the Secretary of State under Circular 02/2009 and the Ministerial Statement of the October 2012 to GRANT OUTLINE PLANNING PERMISSION subject to the following:

A.) The applicants entering into a Section 106 agreement with the Council (terms to be agreed by the Service Delivery Manager of Development Management with that officer being authorised to impose planning conditions rather than Section 106 planning obligations to secure the non-financial requirements should he consider it appropriate) that includes the provision of:

- i. £3,900,000 towards onsite provisions of primary education facilities in addition to the transfer of land to the Council of no less than 1ha.
- ii. £500,000 towards Public transport improvements, including secondary education transportation
- iii. £137,100 towards a traffic signal junction improvement scheme at the B5061 Roman Road/Holyhead Road Junction.
- iv. £99,920 towards a roundabout junction improvement scheme at A442/A5223/B5063 Shawbirch Roundabout.
- v. £25,000 towards Public Rights of Way Improvements in the vicinity of the site.
- vi. £10,000 for improved signage at Allscott Level Crossing
- vii. £5,000 towards Travel Plan monitoring and support
- viii. £5,000 towards Air Quality monitoring
- ix. £20,000 towards planning and financial monitoring of planning conditions and section 106.
- x. 10% affordable housing
- xi. Onsite NEAP facilities (with terms to cover the possibility of transfer to and adoption by the Council if required)

- xii. Public open space / SuDS / Ecology park (with terms to cover the possibility of transfer to and adoption by the Council if required) where identified by applicant in accordance with the Councils Schedule of Rates
- xiii. The ecology park
- xiv. The Sports facilities and pitches including a community use agreement
- xv. The allotments (with terms to cover the possibility of transfer to and adoption by the Council if required)
- xvi. High speed broadband
- xvii. A healthcare facility

B) The conditions to be finalised in the update to board, with authority to the Service Delivery Manager of Development Management to amend and impose additional planning conditions relating to the following:

1. Time Limit
2. Submission of Reserved Matters applications
3. Reserved Matters details, including sports facility details
4. Approved Up to 470 dwellings, no more than 2.5 storeys high.
5. Provision of uses
6. Development parameters plan.
7. Phasing Plans
8. EIA
9. Earthworks
10. Foul and surface water drainage, including surface water drainage restrictions
11. Watercourse details
12. A full scheme of highways improvement works to the B4393
13. A full scheme of traffic management highway works for the village of Wrockwardine,
14. A full scheme of traffic management highway works for Station Road, Admaston
15. Construction highway details and residential layout
16. Travel Plan
17. Environmental site management details, including Pollution Prevention and Construction Management Plan
18. Ecological Method Statement,
19. lighting plan,
20. 29 woodcrete bat boxes, and 30 woodcrete artificial bird nests,
21. Updated version of the Landscape and Biodiversity Management Plan,
22. Updated information relating to timescales for provision of ecological mitigation within the Ecology Park,
23. Updated badger survey.
24. Contamination conditions
25. Noise mitigation
26. Programme of archaeological work
27. Sport and recreation conditions, including NEAP details

28. Landscaping, including boundary details, proposed & existing functional services above and below ground; planting plans to include species, sizes, numbers and planting pit details
29. Tree retention plans
30. Arboricultural Implication Assessment
31. Sustainability – Code Level 4 / BREEAM very good
32. Network rail risk assessment
33. 2m gap adjacent to railway

TWC/2014/0271

Land adjacent 9 Hillside, Lilleshall, Newport, Shropshire

Outline application for the erection of 2no. detached dwellings and detached garages

(All matters reserved) *** Amended location plan received ***

APPLICANT

Jane Woolrich

RECEIVED

15/05/2014

PARISH

Lilleshall, Donnington and Muxton

WARD

Church Aston and Lilleshall

OFFICER

Diane Ferriday

THIS APPLICATION WAS DEFERRED AT 2nd JULY 2014 PLANNING COMMITTEE TO ENABLE MEMBERS TO UNDERTAKE A SITE VISIT.

No further consultation comments or amended plans have been received since the application was considered at the previous Planning Committee meeting.

In relation to the highways issues raised in neighbour consultation responses and at the Planning Committee meeting, officers wish to reiterate that the Highways Engineers have no objection to the proposal.

The current proposal is in conformity with the NPPF and local planning policies and is therefore acceptable and recommended for planning approval subject to conditions and informatives.

Accordingly, the recommendation is unchanged.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions:

1. A01 Time limit Outline – 1 yr
2. A02 Time limit – submission of Reserved Matters - 1yr
3. B02 Standard Outline - some matters reserved
4. B03 General details required
5. B10 Details of materials
6. B61 Soakaway test, soakaways more than 5m
7. B75 Protective fencing
8. B121 Custom Ecology
9. B130 Custom Ecology
10. B131 Custom Ecology
11. B150 Site Environmental Management Plan
12. C38 Development in accordance with Approved Plans
13. D01 Removal of Permitted Development

Conditions

Informatives

- I17b Coal Authority (Standing Advice)]
- I25 Ecology Informatives
- I32 Fire Authority
- I33 Removal of Permitted Development Rights Rural Area
- I33b Broadband
- I40 Conditions
- I44 Reasons for Outline Consent

PREVIOUS REPORT

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Access and highway safety, Residential amenity

THE PROPOSAL:

This application seeks consent for Outline application with all matters reserved for the erection of 2no. detached dwellings with garages on land to the west of Hillside House, 9 Hillside, Lilleshall. Following consultation it was discovered that the application site boundary drawn in red on the location plan submitted on 25th March 2014 was inaccurate. The agent was notified and an amended location plan was duly submitted on the 15th May 2014. The changes to the site plan were minimal therefore re-consultation was not deemed necessary.

BACKGROUND

Outline applications W2012/0372 for the erection of a detached dwelling and creation of new vehicular access on the same site was refused in July 2012 on the grounds the Local Planning Authority considered that the erection of a new dwelling on this highly unsustainable site was unacceptable as it is outside the settlements of High Ercall, Tibberton and Waters Upton. It exceeded the maximum housing numbers permitted in the rural area which undermined the Core Strategy approach; furthermore, no special circumstances were demonstrated to justify the proposal as an exception to general housing policy. Accordingly, the proposal was contrary to 'saved' policies H10 and H24 of the adopted Wrekin local Plan 1995-2006 and policies CS1 and CS7 of the Local Development Framework Core Strategy, 2007 and the National Planning Policy Framework.

SITE AND SURROUNDINGS:

The application site is land to the west of Hillside House; rectangular in shape with evidence of a timber stable sited towards the north east of the site.

The land is relatively level, bound on all sides by established hedging and post and rail fencing; at the south eastern corner are double gates providing access. Several trees are located along the southern and eastern boundaries.

Hillside is a narrow lane which slopes upwards east; Hillside House is prominent within the street scene due to the gradient of the land in addition to its size and height; it is a detached house with white render finish, balcony and flat roof features. Along Hillside are detached houses and bungalows different in terms of age, style and appearance. To the north rear of the site is open agricultural land.

Hillside is to the west of Lilleshall village with residential property and agricultural open land prominent within the immediate surrounding area; the local school, tennis and cricket grounds are to the south/east all within walking distance.

Lilleshall has local services including a church and bus service providing links to Telford and Newport Town Centres.

PLANNING HISTORY:

TWC/2012/0372 - Erection of a dwelling and creation of new vehicular access- Full Refused 6th, July 2012

PLANNING POLICY CONTEXT:

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Core Strategy:

CS1 Homes
CS7 Rural Area
CS9 Accessibility and Social Inclusion
CS15 Urban Design

Wrekin Local Plan:

H9 Location of New Housing
H10 Scale of Development
H24 Affordable Housing: Rural Exceptions.
UD2 Design Criteria

SUMMARY OF CONSULTATION RESPONSES:

For all consultations received by the Development Management Team the following text below represents a summary of the comments made in relation to the application. Full versions of all consultation responses can be viewed by Members of the Planning Committee via the Council's eplanning system.

Parish Council: Object on the following grounds;

- Safety of Children – this route is often used by the walking bus to Lilleshall Primary School. Danger to children using this route to school.
- Access – Concerns were raised as to how heavy goods vehicles and plant would access/egress the proposed site.
- Green Field Site – Councillors were concerned that this was a green field site and if permission was granted for this application then it may set precedence for future development in this area.
- Key Settlement Status – Lilleshall does not have Key Settlement Status and as such special circumstances should not be awarded for the development of this site.
- Village Boundary – this piece of land is not within the boundary of Lilleshall village.
- However, if Telford & Wrekin Council considers allowing development on this site then it should stipulate that bungalows are erected due to the current shortage of this type of dwelling and to protect the inward view of Lilleshall hill for other bungalows situated nearby.
- A previous application to erect a single dwelling on this site in 2012 (TWC/2012/0372) was refused by Telford & Wrekin Council on 6th July 2012. It has been requested that Councillor Andrew Eade “calls in” this application for discussion by T&W Council.

Shropshire Fire Service: Recommend informative

Drainage: Support subject to conditions

Highways: No objection as the dwellings parking and turning can be accommodated within the site and adequate visibility splays can be provided.

Aboricultural Officer: Having looked at the proposed site lay out plan, it would appear that both Holly trees can be retained to the front of the development. Condition required.

Ecology: Supports; an ecological survey was carried out on this site in May 2014. There is a pond 150m to the east of this site. A great crested newt Habitat Suitability Index assessment was carried out and the pond scored 0.55 (below average). Using the risk assessment tool from Natural England, it is considered that it is highly unlikely that an offence would be committed should the development proceed. No further surveys with respect to great crested newts are therefore considered necessary. To remove any remaining risk of harming great crested newts, section 6.1 of the report contains reasonable avoidance measures. These should be followed during the works. The report identifies ‘no other ecological constraints to the development as planned.’

Local consultation and representations

Following consultation 7 letters of objection have been received on the following grounds;

Previous application refused, not aware of change of policy
Greenfield site, outside Lilleshall designated planning area
Lead to further applications along where genuine infill plots remain
Out of character in relation to size of surrounding properties
No green notice displayed
Inaccurate plans – boundary not accurately shown in relation to our deeds
Access is problematic
No heavy goods access.
Previous building projects have required repeatedly blocking the lane during daylight by arrangement with neighbours
No need for two large dwellings and garages
No notification but own land that abuts the site
Dangerous for children walking up Hillside to Lilleshall School.
Additional development spoils the semi-rural nature of Hillside
Increase in traffic using narrow single track road
Significantly affected by the construction of development

PLANNING CONSIDERATIONS:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.

At the heart of the NPPF is a presumption in favour of sustainable development and for decision taking means where development plan is absent, silent or relevant policies out of date, grant permission unless any adverse impacts of doing so would significantly outweigh the benefits, when assessed against the policies in the Framework taken as a whole. It states that local planning authorities' should identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of housing against their housing requirements to ensure choice and competition in the market for land; if the LPA cannot demonstrate a 5 year land supply then relevant policies for the supply of housing should not be considered up-to-date.

Telford & Wrekin Council set out their policies in the adopted development plan, the Core Strategy (2006-2016); however evidence has now come to light demonstrating only a 2.5 year supply exists. For Telford & Wrekin Council this affects policies CS1 and CS7 of the Core Strategy and applications cannot be refused on the grounds of housing supply alone and there will be a presumption in favour of sustainable

development. Furthermore, to promote sustainable development, housing in rural areas should not be located in places distant from local services.

Lilleshall has the benefit of a primary school, post office and store, church, cricket and tennis club and a regular bus service with a bus stop within walking distance of the site. Newport Town and Muxton are both around 3 miles away with public transport, shops, schools, surgeries and leisure facilities. Accordingly the proposal is considered sustainable within the relevant paragraphs of the NPPF.

Policy CS9 aims to improve social inclusion and accessibility by making sure that new development is close to work, schools, recreation and open space and other key services. The proposal meets the aims of this policy as the site is close to key services and within walking distance of public transport.

Policy CS7 Rural Area provides the spatial interpretation of the housing target defined by CS1 Homes, with an emphasis on helping to sustain rural communities. On this basis, policy defines that new development be focussed on the three suitable settlements of High Ercall, Tibberton and Waters Upton. Outside of these settlements development will be limited.

Following the introduction of the NPPF, policies H9 and H10 of the Wrekin Local now carry less weight than they once did. The reasoning behind Policy H10 was to ensure that building plots fell within the confines of the villages and did not result in the spreading of development into areas of open countryside. The NPPF still considers the protection of the rural area against sporadic development important and this issue is pertinent to sustainable development principles.

The site was previously land within the curtilage of Hillside House which was sold in 1993 but this section of land was retained for garden purposes. In the last years it was used to house two Shetland ponies; the site has not sought consent to change from garden land to paddock or agricultural land. The land is adjacent to Hillside House, within a group of residential properties along Hillside and does not have an agricultural use or appearance. The proposal for two dwellings are of an appropriate scale and location that would not represent isolated features as the site is close to other residential properties, nor cause demonstrable harm to the setting of the village; therefore the proposed development would not be contrary to the aims of rural local plan policy or NPPF as it does not represent isolated rural development. The land is designated as a residential use in connection with an adjacent property and the appearance of the site is domestic in nature. Whilst the built development of two dwellings would be intensification, this proposal does sit within the existing village envelope and does not constitute an expansion of the village into an area of open countryside. On balance, the lack of a 5 year housing supply outweighs policy CS7 which seeks to limit development to three core rural villages, given that the level of services in Lilleshall, officers consider that Lilleshall is a sustainable location for limited rural development.

Policy CS12 aims to protect and conserve the natural environment; the Ecology Officer has assessed the application and supports subject to conditions in relation to the Phase 1 Environmental Survey, artificial nesting/roosting boxes and a lighting plan to ensure the protection of great crested newts, ensure the provision of roosting/nesting opportunities for wildlife and minimise disturbance to bats in accordance with section 11 of the National Planning Policy Framework. These biodiversity improvements can be secured by conditions.

Policy CS15 of the Core Strategy and 'Saved' policy UD2 provides guidance to assess whether or not proposals are of an appropriate design, quality and relate positively to their context. It advises the Council to assist in creating and sustaining safe places, strengthening local identity and projecting a positive image. The design and access statement has indicated that a traditional Duke of Sutherland style property would sit comfortably in this location being sympathetic to older properties in Lilleshall; however this is an outline planning application with all matters reserved, therefore details of layout, scale, appearance, access and landscaping will be for consideration at a later stage with the submission of a 'reserved matters' application. However in principle Officers have no objection for two dwellings on this site conforming to the character and appearance of this rural village location.

Amenity

An indicative block plan shows that the site could accommodate two dwellings with garages, turning areas and driveways whilst still maintaining adequate amenity space to the front and rear. The dwellings themselves would be side by side but of a suitable distance apart. The indicative scale is not deemed to be disproportionate to other properties along Hillside. The site for development is a reasonable distance separation from Hillside House to the east and Tan-y-Bryn opposite south and with existing screening it is considered that the impact on these nearby properties is limited. The full details and impacts will be assessed at the reserved matters stage.

Access

The indicative block plan shows the plots having their own vehicular accesses and drives where vehicles could enter and exit the site in forward gear. The Highway Officer has considered this plan and accepts that the dwellings, parking and turning can be accommodated within the site and adequate visibility splays provided. These indicative access points would require the removal of two Cherry Trees along the front southern boundary; however these could be conditioned to be replaced if necessary and will be fully assessed at the reserved matters stage.

In response to the highway concerns mentioned by the Parish and residents it is expected there will some degree of disturbance when work commences but this is relatively short lived and consideration should be given to existing highway users. Previous work has resulted in blocking the lane during daylight by arrangement with neighbours which may have caused some inconvenience at times but is a solution.

A condition for on site management is considered appropriate given the constraints of the site and access.

It is stated that children walk along Hillside to get to Lilleshall Primary School; however the children are accompanied by responsible adults who would be mindful of vehicle movement during construction and remind their children to remain vigilant at this section of the route. The proposal is for two dwellings and although it is considered that more traffic on the lane will have some impact on the amenities of other residential properties along Hillside, once developed the increase in traffic movement is not considered to be of a significant increase to have an adverse impact on the safety of the children or other highway users.

Time limit constraints on approvals

This site is an exception from local rural policies given the lack of a 5yr deliverable housing supply. To boost housing provision and ensure deliverability of schemes the Local Planning Authority are reducing the usual timescales to commence development allowing 1 year for submission of the Reserved Matters and a further year to commence development.

Other constraints

The site is within a coal mining area but does not have legacy issues that are a risk to the surface and can be dealt with via an informative note within the decision. The indicative layout plan shows a scale of dwellings that is acceptable within the context of the site and the plots indicate adequate sized gardens; however to ensure the dwellings are continually provided with an adequate level of amenity the decision will be conditioned to remove permitted development rights.

Conclusion

Due to the lack of a 5 year deliverable supply of housing land development cannot be restricted to the three key rural settlements identified in the core strategy. The proposed development is considered to be within a sustainable location and does not represent isolated rural development; the site is close to residential properties and can be considered as an infill plot along Hillside. The site is able to accommodate two detached dwellings without having a detrimental impact on the amenities of nearby residential properties and the traffic movements generated by the development can be accommodated without detriment to highway safety. The planning history is noted; however the proposal is considered to comply with national and local planning policy and is therefore recommended for approval subject to conditions and informatives.

RECOMMENDATION: TO GRANT PLANNING PERMISSION subject to the following conditions

Conditions

1. Time limit Outline – 1yr
2. Time limit – Submission of Reserved Matters – 1yr
3. Standard Outline – all matters reserved
4. General Details required
5. Soakaway test, soakaways more than 5m from
6. Protective fencing
7. Custom Ecology condition
8. Custom Ecology condition
9. Custom Ecology condition
10. Site Environmental Management Plan
11. Development in accordance with deposited plans
12. Removal of permitted development rights

Informatives

- I17b Coal Authority (Standing Advice)]
- I25 Ecology Informatives
- I32 Fire Authority
- I33 Removal of Permitted Development Rights Rural Area
- I33b Broadband
- I40 Conditions
- I44 Reasons for Outline Consent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

TWC/2014/0333

Land corner of, Stafford Road/A41, Newport, Shropshire
Erection of 111 no. residential dwellings and a 108 no. unit continuing care residential village with associated infrastructure

APPLICANT

Taylor Wimpey North Midlands / Bestnature Limited

RECEIVED

16/04/2014

PARISH

Newport

WARD

Newport South

OFFICER

Kate Stephens

OBJECTIONS RECEIVED: YES

MAIN ISSUES: Principle of development, design, impact on residential amenity, highways.

PROPOSAL:

This is a full application for the erection of 219 residential units, comprising 111 houses and 108 units for the erection of continuing care retirement accommodation together with associated infrastructure and formation of new access onto Stafford Road.

The development generally comprises:-

- 12no. x 2bed flats (6 of which would be affordable)
- 23no. x 2bed houses (all to be affordable)
- 44no. x 3bed houses (9 of which to be affordable)
- 32no. x 4bed houses
- 108no. continuing care units for the elderly (bungalows and flats)

38 of the standard housing units were originally intended to be affordable, equating to 34% (excluding the continuing care units). However, this provision has been amended and reduced to 16% in light of the required S106 financial contributions; this will be discussed later in the report.

The proposed access will be from the roundabout on the Stafford Road and will loop round the housing part of the site and lead into the continuing care part of the site, which will occupy the southern half of the site. The housing development is of a traditional brick and tile design, with 2 and 2 ½ storey dwellings and two blocks of flats each of 3 storeys. There will be a mix of detached, semidetached and terraced houses and flats. Parking is mainly on plot, with some garaging and some parking courts to the front of properties.

The Continuing Care Retirement Community development (CCRC) comprises 108 units made up of 16 no. 2-3 bed bungalows with gardens and four blocks (2-3 storeys) of 1-2 bed flats, with the central block having the main reception, communal restaurant area and a hydrotherapy pool. CCRC's are a format of extra care housing that provides an alternative approach to sheltered housing and residential care and

provide a whole range of needs. Care is provided directly within residents' homes and there are also community and care facilities provided on site. This is intended to encourage and facilitate independent living for longer. Most of the CCRC units will be provided on a long-term lease and some units will be available for rent. Occupants will purchase a 'care package' specifically tailored to their individual physical and cognitive needs. The provision of care is regulated under the Health and Social Care Act and the operator will have to register with the Care Quality Commission. The applicant would enter into a legal agreement to limit the occupancy of the care element to those aged 65 and over and in need of care. This would also restrict the care element to a Use Class C2 (Residential Institutions) so that it cannot be occupied as standard housing (Use Class C3). The communal facilities will be available to the wider community on an appointment or pre-arranged basis.

This Committee has already granting full planning permission for a Continuing Care Retirement Community of 209 residential units on this site under application W2008/0937, with community/administrative building, medical facilities, recreational and social facilities. As that scheme occupied the entire site, it was able to provide a wider range of facilities, such as larger landscaped gardens, a bowling green, a sensory garden, a wild flower garden, an entertainment lawn for marquees etc. That scheme also had the main blocks of flats around the outer edge of the site along the A41 and the bungalows along the boundary with existing properties on Meadow View Road. Despite the reduction in facilities on this new scheme, the applicant still considers that the CCRC element of the scheme will provide a much needed facility for the ageing population.

Officers have sought to improve the road layout and some of the house types, as well as trying to simplify the design and material palette of the continuing care development. The housing and layout have been improved, although little change has been made to the continuing care development.

There is an existing public right of way that crosses part of the site from the Stafford Road towards Meadow View Road, but actually stops in the field and doesn't go anywhere. The proposed layout does allow pedestrian access through the site from Stafford Road and through to Meadow View Road, which then leads on to the allotments and play facilities near Shukers Field. Any changes to this footpath route will require formal amendment under the appropriate legislation.

The applicant requested the LPA to undertake an Environmental Impact Assessment (EIA) Screening Opinion under the Town and Country planning (Environmental Impact Assessment) Regulations 2011 to determine if an EIA was required. The proposed development is a Schedule 2 urban development. However, an EIA is more likely to be required if the site area of the scheme is more than 5 hectares, or the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development over 1,000 dwellings). In light of the Screening Assessment that was carried out the LPA consider that the scale and character of the development would not be of more than local significance; the development proposed is not in an environmentally sensitive or vulnerable location; and the development would not result in unusually complex or potentially hazardous environmental effects. Accordingly the LPA has deemed that an EIA is not required.

However, being a major development, the application has been accompanied by the following supporting documentation:-

- Design & Access Statement
- Planning Statement
- Site Investigation Report
- Transport Assessment
- Archaeological Statement
- Ecology Report
- Noise Assessment
- Flood Risk Assessment
- Preliminary Desk Study investigation
- Building for Life Statement
- Statement of Community Involvement

Members will recall at Plans Board on 5th October 2011 resolving to grant full planning permission for a Continuing Care Retirement Community of 209 residential units, with community/administrative building, medical facilities, recreational and social facilities. This was eventually granted on 25th January 2013 subject to a Section 106 legal agreement for:-

- £15,000 towards provision of two bus shelters in the vicinity of the site,
- £20,000 for tactile crossing points and minor maintenance works to nearby footways and crossings including a pedestrian guard rail to the A41,
- £5,000 towards cost of replacement/reconfiguration of flower bed close to site access,
- an age restriction on occupation of the units (single person aged 65 or over in need of care, a family where at least one member is over 65 and in need of care, or surviving partner/spouse).

Therefore the principle of built residential development on this site albeit in the form of Use Class C2, together with the formation of a new access onto Stafford Road, has already been approved. Members therefore need to consider the differences and if there are any material circumstances to take into account since that decision.

THE SITE

The 4.9 hectare site is a triangular shaped area of land, which is located approx. 800m east of Newport town centre, off Stafford Road. The site lies at the junction of Stafford Road with the A41 Wolverhampton to Warrington Principal highway. It is agricultural land, most recently used for crops.

The land falls generally and gently from west to east and from north to south, the lowest point being the south eastern corner. As the land has been in arable use for many years there is an absence of trees on the main part of the site, the important natural features being the boundary hedgerows and trees.

The A41 and Stafford Road form the eastern and northern boundaries of the application site. Both of these boundaries are delineated by tall mature hedgerows that stand around 6 - 7m high. A footway exists along Stafford Road site road frontage but there is no footway alongside the A41.

The site is currently accessed by a field gate off Stafford Road. There is a mini traffic island at the junction of Stafford Road and Daniels Cross, which lies close to the north western corner of the application site from which it is intended to access the site.

To the north, south and west of the site is modern residential development, comprising, for the most part, modern housing estates, both private and former local authority. It is mostly two storey development, constructed of bricks and concrete roof tiles, in detached, semi-detached and terraced forms, displaying design features typical of the eras in which they were constructed, though there is no common theme or architectural distinction.

To the east of the site on the opposite side of the A41 lies Mere Park Garden Centre with the newly constructed Premier Inn and Beefeater restaurant. Still further to the east is a golf course, and large private dwelling.

There is a Public Right of Way that enters the site off Stafford Road, but stops within the site and hence does not lead anywhere. However, there is evidence that people have walked around the site and between Stafford Road and through the gap in the hedge onto Meadow View Road.

The site lies outside the built up area of Newport in the rural area, but is contiguous with Newport's urban boundary and the site is bounded and constrained by the A41 by-pass.

PLANNING HISTORY:

W2008/0934 - Construction of a Continuing Care Retirement Community with associated works comprising of 209 residential units, community/administrative building, medical facilities, recreational and social facilities, roads and sewers. Full Granted 25 January 2013.

CONSULTATION RESPONSES:

Natural England

Internationally and nationally designated sites

- The application site is in close proximity to an element of the Midlands Meres and Mosses Phase II Ramsar site (Aqualate Mere).
- The National Planning Policy Framework (paragraph 118) applies the same protection measures, i.e. those set out in Regulations 61 and 62 of the Habitats Regulations, to any listed or proposed Ramsar sites, sites formally proposed as European sites, and sites identified or required as compensatory measures for adverse impacts on European site interest. The site is also notified at a national level as Aqualate Mere Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.
- Natural England therefore advises that, in accordance with the National Planning Policy Framework, your authority as competent authority should follow the steps set out within Regulations 61 and 62, to undertake a Habitats Regulations Assessment (HRA).

Habitats Regulations Assessment Required

- The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment (HRA).
- In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:
- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment
- When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects.
- It appears that foul drainage will be via mains sewer and that Severn Trent Water, the local sewerage undertaker has confirmed the capacity of the relevant sewage treatment works. It therefore appears that the development will not have a likely significant effect on the interest features of Aqualate Mere.
- In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.
- The requirements are set out within Regulations 61 and 62 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 61 and 62 are commonly referred to as the 'Habitats Regulations Assessment' process.
- The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

SSSI - No objection – with conditions

- This application is in close proximity to Newport Canal and Aqualate Mere Site of Special Scientific Interest (SSSI).
- However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on Aqualate Mere as a result of the proposal being carried out in strict accordance with the details of the application as submitted.
- We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

Conditions

- We note the Flood Risk Assessment proposes discharging part of the site's surface water run-off into the Strine Brook. Newport Canal SSSI is fed by water from the Strine Brook by way of pumping station downstream from this site. As such the surface water resulting from this development has the potential to affect the water quality within the SSSI. We therefore recommend a condition is attached to any planning application for this proposal which would require oil interceptors or some other form of treatment to be applied to the surface water

intended to be discharged to the Strine Brook. This condition is required to ensure that the development, as submitted, will not impact upon the features of special interest for which Newport Canal SSSI is notified.

Other advice

- We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application: local sites (biodiversity and geodiversity); local landscape character; and local or national biodiversity priority habitats and species.

Protected Species

- We have not assessed this application and associated documents for impacts on protected species.
- Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.
- You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.
- The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.
- If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at consultations@naturalengland.org.uk. If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at consultations@naturalengland.org.uk.

Biodiversity enhancements

- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF.
- Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes*

Severn Trent Water

No objections to the proposals, subject to the inclusion of the following condition.
'*The development hereby permitted should not commence until drainage plans for*

the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce of creating or exacerbating a flooding problem and to minimise the risk of pollution.'

West Mercia Constabulary

- Do not wish to formally object to the proposal at this time. However there are opportunities to design out crime and /or the fear of crime and to promote community safety.
- Should this proposal gain planning approval, request that the following planning condition be placed upon the said approval. "The applicant should aim to achieve the Secured by Design (SBD) award status for this development. SBD is a nationally recognised award aimed at achieving a minimum set of standards in crime prevention for the built environment, the scheme has a proven track record in crime prevention and reduction. The opportunity for crime to occur can be reduced by up to 75% if Secured By Design is implemented".
- The principles and standards of the initiative give excellent guidance on crime prevention through the environmental design and also on the physical measures.
- Draw your attention to Section 17 of the Crime and Disorder Act 1998 which clearly states "It shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions of, and the need to do all that it reasonably can to prevent crime and disorder in its area".

Shropshire Fire Service

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" which can be found using the following link: <http://www.shropshirefire.gov.uk/planning-applications>

TWC Drainage engineer - object, but if issues resolved recommend conditions.

- The FRA produced for this site states that surface water drainage will be provided through the use of soakaways however no infiltration testing has been undertaken on the site. Whilst a conservative rate of infiltration has been used for the design of the proposed soakaways, without site specific information it is not possible to approve any drainage design. The development site is also in an area known to be affected by high groundwater therefore it is possible that the use of soakaways will not be suitable. For this reason until further information on the rates of infiltration is provided I will object to any proposed development. If it is found that soakaway drainage is not possible an alternate method of surface water disposal should be submitted that will restrict the site to the greenfield rate of 5l/s/ha for all event s up to the 1 in 100 year +30% event.
- Details on the location and future ownership of any proposed soakaway and associated piped systems should be submitted along with simulation files for any microdrainge calculations associated with both the soakaways and attenuation features. A revised drainage layout plan should also be submitted for approval.
- If issues can be resolved then impose conditions relating to soakaways, foul and surface water drainage.

The drainage engineer is still not satisfied about soakaway provision so further work is being undertaken and Members will be updated

TWC Highways engineer

- There have been very limited pre-application discussions on this proposal and the LHA has not commented on the submitted layout before now.
- The site is to be served from a single access point via a new fourth arm from the Stafford Rd/Daniels Cross roundabout and the roundabout itself is to be redesigned and realigned with a larger diameter.
- The LHA does not support developments that exceed 100 dwellings from a single access point forming a long cul-de-sac network of roads - the exception is where the proposals include a short connector road link with a loop road configuration for the internal road network. The connector road would be wider with strengthened footway/verges and no frontage access would be permitted along its length. Properties in the vicinity would need to have adequate parking levels as on road parking would be prohibited in this area. Whilst the original CCR village proposal was intended to have a private road network it did include the looped internal road.
- The current application is stated as being for 111 residential dwellings and 108 unit CCR village - this places it above the level I would wish to see served from a simple cul-de-sac arrangement. There does not seem to be a simple solution to overcome this with the proposal as it stands.
- As far as the rest of the layout is concerned this seems to follow a more traditional form. There are however a few areas of concern.
- The road to the CCR village would seem to be intended for adoption but there is no defined turning area. Turning for cars seems possible within the CCR village private roads but I do not think it is appropriate to encourage vehicles onto that part of the site. In addition larger vehicles will need to turn and this not proven.
- At several points around the site there are areas where the numbers of access points to drives or parking spaces will mean that long lengths of dropped crossings will be required (ie. Plots 40-58 & Plots 62-76). This is detrimental to any footway proposed.
- The proposed road widths vary in parts of the site and it is not clear why.
- Parking levels are generally satisfactory but Plots 74-80 get less than similar sized units. Plots 1-2 and 84 are also low. Plot 24 is too short particularly by the front door.
- Some of the turning heads appear to be oversized when there is no obvious need. These will need to be adjusted subject to a tracking exercise which has not yet been provided.
- Junction visibility and forward visibility splays will need to be indicated.
- There is a PROW crossing the site. An attempt has been made to include this in the layout (by Plot 94). Any changes to this route will require formal amendment under the appropriate legislation.
- The original CCR` village proposals include enhancements to the Stafford Road bus stops. It also included a mini bus service for staff and residents. Is this still the intention? The new layout places the CCR village to the rear of the site far away from public transport where it would be less convenient to the mobility impaired.

- Surface water drainage is shown to cross the A41 to outfall in the brook - cannot find the exact alignment of this pipe but it seems to impact on application TWC/2013/0959, so details will be required.
- In terms of the Transport Assessment (TA) the Applicant has reused the original CCR village TA from 2008. The one obvious issue with this is that the survey data is also from 2008. It is not recommended to use counts that are over 3 years old as they may no longer be representative of current traffic conditions. This count pre-dates the opening of a number of developments in the vicinity of the site.
- The assessment does not include specific consideration of other sites in Newport that are committed by Planning Consent. An explanation of how these have been considered is required as the scale of development exceeds simple growth factors. The landowners own discount supermarket proposal accounts for a large proportion of the new trips on Stafford Road.
- The capacity assessment implies that the new junction would have spare capacity so I am not expecting any issues but I do not think the case has been proven.
- As has already been explained there is a cumulative impact arising from all the recent development proposals on the local highway network. All recent developments have been asked to contribute a proportional amount to highway infrastructure improvements. In this instance the switch to open market housing will generate additional trips onto the highway network though it is acknowledged that the site does have an extant Consent and trips associated with that have been netted out. Based on the distribution of trips presented in the TA the proportional contribution for this site would be £55,855.72
- There is a difference between the site layout and the one shown on the landscape proposal. I have not checked all of the drawings so I do not know if this inconsistency is replicated on the other drawings. This will need to be addressed.

Following discussion, receipt of a Transport Assessment and amended plans, development now generally acceptable:-

- The Highway Consultant for the Applicant has carried out a sensitivity test of the proposed roundabout junction with Stafford Road. Starting from the 2008 count the background flows have been growthed up in excess of what is likely to happen in reality and the accompanying data shows the junction will work satisfactorily into the future. On this basis I am satisfied that the proposed access solution can accommodate the proposed development.
- In terms of the layout the Applicant has tried to accommodate the changes to the highways as requested by your Urban Planner and myself and for the most part they have been successful and the changes are acceptable in principle.
- Having said that the changes to shared space roads lack detail and I need to understand how these areas will be laid out, what street furniture may go in to protect trees and define areas for street parking, how the drainage will be dealt with and where services may be laid.
- In advance of this information I would make the following comments:
 - i) Where the more traditional roads meet the shared space areas there needs to be a better transition where the footway ends. A feature needs to be made of these areas.

- ii) I would ask that areas of private parking (Plots 55-57) are delineated from the highway in some way. Use a different/complementary colour block for example.
- iii) Where the shared space joins the traditional road (east of Plots 39 and 59) the junction bellmouth is very wide. This could be reduced in width with the change to the shared space width at a transition point away from the junction.
- iv) The section of road serving Plots 60-76 should be a shared space similar to the other areas starting at the transition point indicated on the plan (by Plot 77).
- v) There is a kink in the alignment of the road where the feature square ends by Plot 9. Smoothing this out will necessitate Plot 9 being pushed back slightly to maintain the drive length.
- vi) There is no tracking information provided for the submitted layout and this will be require to prove the layout works. Likewise at any turning heads. I have seen the tracking for the CCR part of the site but this shows an articulated lorry manoeuvring across footways. It also conflicts with landscaped areas and comes very close to buildings. As a minimum I need to see tracking for the Council's 11.5m (4 axle) refuse vehicle across the site and the largest delivery vehicle that could reasonably be expected to visit the CCR. This has previously been requested.
- vii) Junction visibility and forward visibility splays still need to be indicated as it may have implications to some plots. This has previously been requested.
- viii) I note what has been said concerning the existing PROW. I would be supportive of a new footpath link through to Meadow View Road. The existing gate would need to be retained solely for emergency use with a separate pedestrian facility provided alongside.

TWC Environmental Health (Contaminated Land)

- Only concern is the one round of gas monitoring that has been undertaken - this was in a borehole adjacent to the quarry. Although the quarry doesn't appear to have been infilled, there was a pond in the southern part of the quarry for a significant period of time (twenty-ish years).
- Require more gas monitoring to be undertaken before completely happy with what has been done.

The applicant has now submitted additional gas monitoring data for Environmental Health to consider - members will be updated.

TWC Ecology - Initial objection, but now recommend conditions.

- Initially in the absence of additional information (detailed below) object to the proposed development since it is not possible to conclude that the proposal will not cause an offence under the Conservation of Habitats and Species Regulations (2010).
- However, subject to more native species being included in the landscaping and pond design, and the suggested conditions, then can support.

Habitats

- The site proposed for development is a large arable field surrounded by some non-continuous hedgerows and a few off site mature trees according to Camlad

Ecology. There are no priority habitats present on this site and limited potential for protected species to be present.

Badger

- There was no evidence of badgers being present on the site and Camlad Ecology recommends basic precautions are taken in case badgers are occasionally present on the site. Basic precautions include closing trenches at the end of each working day or providing an earth or wooden plank ramp to allow wildlife to escape. Any open trenches should be inspected at the start of each working day.

Bats

- There are no potential bat roosting locations on the site according to Camlad Ecology but there is potential for bats to be foraging and commuting in the wider environment. Camlad Ecology state that boundary trees and hedgerows should be retained and enhanced through native species landscape planting and that lighting should avoid illuminating mature trees and site boundaries.
- Camlad Ecology also recommends that a suite of bat boxes, either on trees or integrated within the proposed buildings, should be provided on the site.

Reptiles and Amphibians

- There is a pond close to the site which has been assessed by Camlad Ecology as having low potential for Great Crested Newts since it is an ornamental fish pond. Other ponds within 250m are across the A41 within the golf course and the major road is considered to be a significant barrier to dispersal.
- The site has low potential for common amphibians and widespread reptiles to be present and Camlad Ecology recommends that basic precautions in site clearance methods will be sufficient to mitigate any small remaining risk.

Nesting Wild Birds

- The vegetation on the site has potential for nesting wild birds and vegetation removal should occur outside of the bird nesting season. Camlad Ecology recommends that a suite of bird nesting boxes could be provided on the site.

Landscape Planting

- Camlad Ecology recommends that the landscaping scheme comprises native species planting to enhance hedgerows and provide new native species trees on the site.
- The landscaping scheme provided in the application shows a scheme which is primarily comprised of ornamental plant, shrub and tree species and which does not provide enhancements to native species hedgerows or trees.
- I would welcome further consideration from the developer as to whether it would be possible to include a balance of native species within the landscaping scheme including native species hedging which should include a mix of up to 7 native species hedgerow plants.

Pond

- Camlad Ecology notes the proposal to provide a pond on the site and provides a number of specifications relating to appropriate design and planting.
- It is not clear from the site plans whether this pond is intended to be a wildlife pond or whether it is part of the proposed surface water management and attenuation system for the site.
- I would welcome further clarification of the pond design and planting scheme and whether the recommendations of Camlad Ecology with respect to the pond can be taken on board or not.

Following receipt of additional information and clarification, now recommend conditions relating to protected species survey, erection of nesting/roosting boxes, lighting plan and landscaping design and informatives relating to wild birds. In addition Natural England has specified a condition relating to interception of oil and sediment on surface water outflows from the site which should be included.

Habitat Regulation Assessment

- This application must be considered under the Habitat Regulation Assessment process in order to satisfy the Local Authority duty to adhere to the Conservation of Species & Habitats Regulations 2010 (known as the Habitats Regulations) since it is within 10km of the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar Phase 2.
- Planning permission can only legally be granted where it can be concluded that the application will not have any likely significant effects on the integrity of any European Designated site.
- This proposed development will generate additional demands upon the sewerage and waste water infrastructure in Newport and the applicant should seek written agreement from Severn Trent Water that the new foul water demands can be accommodated within the existing sewer system and treated to an appropriate standard within the existing Sewage Treatment Works without having a negative impact upon the European Designated Site at Aqualate Mere.
- LPA has now undertaken an HRA. There will be minimal potential impacts as a result of the scheme on airborne pollutants, invasive species dispersal and impacts upon wildlife are deemed unlikely. The stream flowing close to the site feeds into the Strine Brook which flows away from Aqualate Mere, so surface water pollution resulting from the proposed development is therefore considered extremely unlikely to impact upon the European Designated Site at Aqualate Mere. The hydraulic gradient has been assessed to fall away from the Ramsar site towards the development site, in the 'safe direction', and no significant impact upon ground water recharge is considered likely. Ongoing risks from the residential development are also considered small and minor. Severn Trent Water have confirmed to the applicant that any water supply for the proposed development will come from distant sources and will not come from the 2 boreholes near Aqualate Mere which are at their abstraction limits and on which Severn Trent Water does not intend to grant further licences. Impacts on the Ramsar site are therefore considered unlikely. There are a relatively small number of footpaths around Aqualate Mere since the site is largely in private ownership and increased usage will not be significant. Severn Trent Water have not raised an objection and so it is therefore anticipated that Severn Trent Water can accommodate the additional foul water generated from the new development within their existing infrastructure without impacting upon water quality at Aqualate Mere.
- The HRA concludes there are no likely significant effect and no likely effect on the integrity of the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar Phase as a result of the proposed development, and as a result there is no legal barrier under the Habitat Regulation Assessment process to planning permission being granted in this case.

TWC Parks & Recreation

- Providing that access is part of the application to Meadow View Road I feel an offsite contribution towards meeting the play and recreational needs arising from the development. This would be in the form of £600 per property of 2 beds or more (including affordable).
- There is no leisure contribution, so some towards Shukers fields would be useful.

TWC Arboricultural officer

- The application does not contain any information pertaining to the trees on site therefore an informed decision cannot be made. Given that the layout has already been established any tree survey would not conform to the recommendations set out in the current BS: 5837 (2012) as the tree survey should inform the site lay out.
- Plots 62, 63 & 64 appear to have gardens which extend under the canopy of a large mature Oak tree growing on the east of the site. Given that the tree is to the south east of the properties it will cast the gardens in shade for most of the morning / early afternoon in turn this will leading to ongoing enquiries relating tree safety seed, leaves & shade all adding up to pressure on the tree to be continually pruned.
- There is a collection of trees growing on the top of the quarry wall on the western side of the proposal, the majority of which are Oak trees. These are not shown on the plans yet they would serve a purpose in screening some of the development from the existing properties to the west.
- According to the landscape proposals the applicants propose to plant 3 Sorbus trees underneath the existing hedge which separates the proposal from the A41, these will need to be moved where they have space to grow rather than being suppressed underneath the existing hedge, which spans the length of the site yet has also not been surveyed!
- Given the lack of information within the proposal I object.

TWC Urban Designer - comments summarised below as follows (see full comments on file):-

- Numerous detailed comments on individual plots and house types, including materials.
- Some parking courts look vast and there seems an absence of soft landscaping to break these areas up.
- Generally the layout, the dwelling types (in particular the use of an apartment block) and the various relationships in this area need to be reconsidered and significantly improved in order to deliver a development that is *“easy to understand, simple to navigate around and more secure for residents”* (D & A statement p.12) - this may be as simple as reconsidering the design and location of the 3 storey apartment block which appears to be totally at odds with the surrounding units or this area could be remodelled with a through road, not a cul-de sac.
- Look at the public realm in places as some poor termination of routes, poor legibility and ambiguity or public/private spaces, parking dominates in places, .
- Amore traditional arrangement of dwellings facing the road should be considered along the through route.

- Clarification of the private drive & footpath proposed outside units 108 to 111 - : how will this land be conveyed, what is really to stop someone driving onto the path, ideally it should not be fenced off.
- The proposed footpath to the north doesn't appear to connect up to the adopted highway/footpath on the other side of the hedge.
- Footpath to Meadow View Road looks as if it goes over private drives - not acceptable.
- Need to ensure that all the units have side windows on corner plots.
- Disappointing that the frontage onto Stafford Road has not been shown as a streetscape drawing to show how the new frontage will "fit" into the existing street scene.
- With regards the Proposed Care Complex, the key issue with this scheme is that it is fundamentally designed to be inward facing and in essence turns its back on the surrounding community.
- Unfortunately the first corner that can be seen on approach is one left open with the view not terminated by the building which doesn't create a very welcoming or positive image on arrival.
- Although the main entrance and reception area to the complex is centrally located within the scheme, there is little to indicate where the main entrance is, and not even a canopy
- Whilst not immediately apparent on the plans and elevations submitted, there appears to be a change of level across the site which seems more of an issue for this part of the scheme given the continuity of blocks and the need for level access in and around the building.
- Whilst the form and scale of the buildings is broken up visually by the use of gables, the palette of materials currently creates a patchwork effect. The palette of materials and the way they are used should be simplified.
- Unclear if there is a landscaping plan for the care scheme. On the previously approved care scheme there was a great emphasis placed on external spaces and landscaping, but now this seems to have been marginalised.
- The scheme is essentially two schemes providing different type of residential accommodation "fudged" together which could have been done better than it is given that one will provide the setting for the other and will co-exist once completed. This consultation comment highlights the areas of particular concern and the need for considerable improvement albeit that the principle of residential on this site is not opposed.

TWC Education

Request £294,747 towards primary and secondary schools in the area.

Telford & Wrekin Local Access Forum

- The T+W Local Access Forum have a statutory duty to advise on the improvement of public access to land for the purposes of open-air recreation. Although the forum cannot directly oppose the development the following comments should be taken into consideration.
- Whilst the planning application does not indicate any major issues, it appears that a Restricted Byway passes through the site - this seems to be a bit anomalous in that it does not connect up to the Restricted Byway that runs along Meadow View Road.

- Not sure if the developers have noted this but it appears from the current drawings that this public right of way has not been taken into account.
- The developers should engage with the TWC planning department and the Rights of Way Officer to deal with this matter at the earliest stage.
- It would be of huge benefit to see this opened up as a non-motorised multiuser route through the site. If not it would be unlawful to build on it unless the right of way was legally stopped up or diverted perhaps around the edge of the site.

Newport Town Council

- Members questioned the need or necessity to provide an additional 111 residential dwellings on yet another green field, in the context of the current proposals for housing determinations - this further proposal is considered a 'step to far'
- Newport Town Council supported the previously granted permission W2008/0934 (amended plan 2011, granted 25.01.13), however would question the viability or sustainability of any type of continuing care residential village on this site.
- The intervening years have seen considerable change in the light of new development proposals.
- The impact on the highway and traffic movement is of concern, the close proximity to the A518, the A41 by-pass and the current residential area of Daniels Cross, Hampton Drive and the wider housing estates of the east side of town are currently considered to be part of the busiest routes for commuters' shoppers and to routes to schools, and will require further consideration and investment with the introduction of a further 219 dwelling in this area.

Neighbour consultations

3 letters of objection received, summarised below as follows:-

- Why the need for yet another development in the area- with just a short journey down the A518 into Newport there are at least 4 developments taking up our valuable countryside.
- As a commuter out of Newport on a daily basis for work using the A41 consider the highways infrastructure will not be able to cope with the additional developments.
- Property backs on to the proposed planning site and feel that the new development will result in a loss of privacy.
- The field currently houses a number of different species of wildlife, attracting several types of birds of prey.
- Building on this land will be of great detriment to the local ecosystem.
- Feel that the application has not taken into account the close proximity that other dwellings will be constructed to the side of my property - about 2 metres judging from the plans that were on view at the Mere Park open evening. I have windows on that side of my property and fear that the loss of light, together with the loss of view of an open aspect that I currently enjoy, will prejudice my chances of selling my property in the future. I also have grave concerns that the properties constructed along the boundary of my garden, will overlook directly into my property due to the elevated aspect of the field in relation to my rear garden.
- Another point that I feel has not been given enough consideration is the exit of the development onto the A518. At present, street parking is all that is available to myself as I don't have the benefit of off road parking at the front or side of my

property and feel that with the increased volume of traffic using the roundabout, vehicles parked in the road outside my property will be at risk of accidents.

- Strongly object to all of the plans that I have seen for the development of the land adjacent to my home.
- All this housing and no employment.

PLANNING POLICY CONTEXT:

National Planning Policy Framework (NPPF)
Planning Practice Guidance

Core Strategy DPD:

CS1 – Homes
CS6 – Newport
CS7 - Rural Area
CS9 – Accessibility and Social Inclusion
CS11 - Open Space
CS 10 - Community Facilities
CS12 - Natural Environment
CS15 –Urban Design

Wrekin Local Plan (saved policies):

Policy UD2 – Design.
Policy UD4 - Landscape Design
Policy H6 - Windfall sites in Telford & Newport
Policy H22 - Community Facilities
Policy H23 - Affordable Housing
Policy OL6 - Open land
Policy LR6 - Developers Contributions to Outdoor Recreational Open Space
Provision within New Residential Developments

PLANNING CONSIDERATIONS:

Since the previous CCRC ‘care village’ application W2008/0937 came before members in 2011, there have been some changes in circumstances and policy that need to be considered in the decision-making for this new application, namely:-

- The NPPF has been published (March 2012).
- Since the issue of the planning consent in 2013 the Planning Practice Guidance has been published (March 2014).
- Several large housing applications (for over 900 dwellings) have since been approved or resolved to be approved on sites outside, but contiguous with, Newport’s urban boundary.
- The Council now has a shortage of a 5 year housing land supply.

Principle of development and sustainability

The principle of developing this site for housing of some form has already been accepted by the grant of planning permission for a continuing care development comprising bungalows, apartments and shared care facilities, albeit restricted to Use Class C2 (residential institutions). The application was determined before the publication of the NPPF and the abolition of the various Planning Policy Statements, and, at the time, the proposal was considered something of an exception, as open

market housing of this scale would not have been permitted in the countryside outside the built up boundary of Newport. However, the fact remains that built development on this site has already been approved and the CCRC application is still extant and can be implemented - this is a material consideration.

The NPPF is the most up to date national policy guidance that all development needs to be assessed against and this has changed the policy context. The NPPF has at its heart “a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking” (para 14). The government seeks to promote economic growth, and in pursuing sustainable development has identified three mutually dependant economic, social and environmental dimensions. Para 11 advises that planning applications “must be determined in accordance with the development plan unless material considerations indicate otherwise” which in this case is the saved policies in the Wrekin Local Plan and the Core Strategy, and that development proposals that accord with the development plan should be approved.

Members are familiar with a number of recent planning applications for residential development on other sites in and around Newport that have been granted under the principles of the NPPF and the significant fact that the LPA cannot currently demonstrate that there is a sufficient supply of housing to meet the Borough’s needs.

The NPPF requires Local Authorities to identify that they have a 5 year housing supply, and this is updated annually. The NPPF also requires at para 49 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”.

It has been established that Telford & Wrekin Council has only a 2.5 year housing supply and therefore does not have a five-year supply of deliverable housing land. As a result, relevant policies relating to the supply of housing cannot be considered up-to-date. In this instance, the principle policy is CS1 (Homes) which identifies housing numbers over the plan period for Telford, Newport and the rural area, and the policies relating to Newport (CS6) and the Rural Area (CS7) cannot be relied upon. With regard to policy CS1 of the Core Strategy, there is a need to build approx. 60 dwellings a year in Newport. However, there has been a shortfall of dwellings constructed and completed in Newport and the wider Borough over the Core Strategy plan period 2006 – 2013. It is acknowledged that land is coming forward as a result of permissions granted, but this does not necessarily mean that the approved number of houses will all be built out. Moreover, each developer has stressed that the larger housing schemes will be phased over a period of years. Therefore the provision of housing and in particular affordable housing will not be delivered immediately and the shortfall will remain for some time. Accordingly, the LPA cannot refuse applications purely on the grounds of housing supply. And any development has to be considered against the NPPF’s main thrust of a presumption in favour of sustainable development.

In addition, the Core Strategy is not accompanied by a spatial plan that identifies how the development strategy is to be accommodated. Whilst Policy CS6 (Newport)

recognises the function and role of Newport where future development should be concentrated, it neither allocates land for development nor establishes the extent of any revised settlement boundary to accommodate future growth beyond 2006, as shown in the WLP Proposals Map. The Inspector at the Examination of the Core Strategy concluded that the most likely option to achieve the required level of affordable housing in Newport was the option that promoted 60 dwellings per annum and in doing so recognised that this option would entail extensive use of greenfield sites around Newport.

The proposed development will result in some loss of Grade 2 agricultural land. Paragraph 112 of the NPPF asserts that LPAs must weigh up the importance of agricultural land and whether it is appropriate to develop on this most valuable and versatile agricultural land. Moreover, the Core Strategy Inspector made her decision about Newport's need for growth and new housing land in the full knowledge that there are swathes of agricultural Grade 2 land around Newport and therefore the loss of some Grade 2 agricultural land on the edge of Newport was an inevitable consequence of growth and supporting Newport's role as a market town. However, the principle of losing this Grade 2 agricultural land to build development has already been accepted by the grant of planning permission for the 'care village'.

The site is located in the rural area on the north eastern edge of Newport. However it lies within the confines of the Newport bypass (A41) and is directly adjacent to Newport's built up urban area so would not appear as an unconstrained countryside encroachment. The site lies adjacent and opposite existing residential development and so would complete the built-up area to the north east of Newport. Mere Park Garden Centre lies close to the site on the opposite side of the A41. Whilst rural housing schemes should be limited in scale to meet local needs as set out in the Core Strategy; with regard to NPPF the proposed housing can be viewed in terms of supporting and maintaining the vitality of Newport and its role as a market town. Whilst on the outer edge of Newport, the site lies approx. 1km from the centre of Newport and is as close to the centre as much of the existing housing in the immediate vicinity. The site is on the route of the Arriva 481 Telford - Stafford half hourly bus service with stops in the vicinity of the site and it is relatively easy and direct to walk and cycle into the centre of Newport. Being located adjacent to Newport, there is also convenient access to Newport's range of facilities and services, including schools and health facilities and nearby Harper Adams University (at Edgmond) which is a significant educational and employment facility.

The previous application for the continuing care development was approved as an exception to the Core Strategy and Saved Local Plan Policies. Since then the NPPF has been published and with it, a change in emphasis on the delivery of housing. The NPPF indicates that local planning authorities should use their evidence base to ensure that their development plan meets the full, objectively assessed needs for market and affordable housing in the local housing market area. It is accepted that the Council does not have a 5 year land supply and, where this occurs, the Framework requires that applications should be considered in the context of sustainable development. Given the Council has previously deemed that this site is suitable and accessible for housing, it is the view of your Officers that sustainable market and affordable housing would be considered acceptable, provided any

adverse impacts of doing so would not significantly and demonstrably outweigh the benefits when assessed against the Council's policies and the NPPF.

Continuing care provision

It is nationally recognised that the country has an increasing aged population and this will continue to rise. This has implications for housing provision and social and health care, and the number of people living in residential care homes is set to rise. Planners are being encouraged to consider housing development that cater for the needs of particular groups, such as the elderly. The proposed continuing care retirement community development will offer a particular form of accommodation with a 'package' of care designed to help older people live more independently for longer. The provision of some 108 continuing care units for the elderly on this site in Newport will help cater for some of Newport's growing elderly population. One of the NPPF's core principles is to improve health, social and cultural wellbeing for all and deliver sufficient community facilities to meet local needs, and this is endorsed in Core Strategy policy CS9 that seeks to address accessibility and social inclusion. Placing this community adjacent to open market housing will also help create a mixed community.

Design and residential amenity

The NPPF has as one of its 12 core planning principles "secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". The NPPF goes on to advise at para 59 that "Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

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

The agent has prepared a Design & Access Statement that has shown how and why the development has been designed as it has. The site lies on the outer fringes of Newport away from its historic core and conservation area and sits adjacent to other modern housing estates. Furthermore, the site is well screened along the A41 and Stafford Road such that the new development will not be visually intrusive in the wider setting. Whilst residents adjoining the site will no longer look out onto an undeveloped field, there is no right to a view.

However the Council has sought improvements to the layout and house types and amended plans have been submitted. These changes include removing the cul-du-sac in the middle of the site so that the road continues through to the care village and provides a looped road and this also gives the layout more focus. In addition, changes to house types and re-configuration of some plots has occurred. For example one block of flats has been moved from the middle of the site towards the site's outer edge and some house plots have now become the location for the second block of flats. This has the additional benefit of better preserving a group of trees as they will now be in a communal garden area with more space rather than in a private garden where there would have been pressure for tree removal. The design of the care complex has not been significantly altered and the mixture of

materials still generates an overly fussy looking development. However, when compared to what has previously been approved, the amount of development is reduced and this part of the site will not really be seen from the wider surrounding area.

The proposed development adjacent to existing properties along Meadow View Road on the site's western boundary have been sited to minimise and avoid any overlooking or loss of privacy. This has been achieved by setting dwellings an acceptable distance back or siting dwellings side-on to existing properties, or siting the care village bungalow along this boundary.

Officers are satisfied that the proposed layout as amended results in a suitable design layout, with mix of house types and density that will provide a form of development that will not be totally out of keeping with the surrounding existing development in the immediate area on this edge of town location and will not result in significant detriment to the residential amenity of existing properties. Accordingly Officers are satisfied that the proposal would accord with the aims and objectives of Local Plan policies UD2 and UD3, policy CS15 and the guidance contained in the NPPF.

Landscape, visual impact, Public Right of Way

WLP policies UD4 and OL12 expect new developments, amongst other things, to be appropriately landscaped into its setting; replace any footpath/cycle way links that may be lost; identify any positive features that should be included into the scheme. The site is on the edge of Newport and is screened from view by trees and hedgerows along the Stafford Road and A41 boundaries, and this will help screen the new development from view. Whilst the three storey blocks of flats have been repositioned and are now closer to the A41 boundary, the reduction in the care village accommodation means that the taller care accommodation blocks can now be sited away from the site's boundaries. This will therefore help preserve the relatively undeveloped feel to this corner of Newport.

The existing public right of way diagonally crosses the site from a gap in the hedge off Stafford Road but terminates in the middle of the site and so doesn't go anywhere. This termination is the result of historical usage and the need to provide access to individual burgage field plots and stopped at the last field and over time the route became a restricted byway. It is apparent from visiting the site that walkers do not use the line of the designated route through the crops, but tend to walk around the edges of the field from Stafford Road to the gap in the hedge onto Meadow View Road. However, the proposed layout of the site will necessitate effectively extinguishing the route and replacing it, and this will need to be done under separate process and legislation. The new route still resumes its start off Stafford Road and will then meander through the site as pavement along the new estate roads and emerge in Meadow View Road, thus creating a continuous pedestrian link through the entire site, which currently does not exist. The line of the unofficial edge-of field route will also be maintained, but along the new estate road. Planning officers consider that the re-routing of the existing PROW and maintenance of the existing unofficial route will in effect produce more practical and meaningful pedestrian routes that will actually link Stafford Road to Meadow View Road, giving access to the allotments at the end of Meadow View Road, help to shorten the

distance that school children need to take to Burton Borough School and provide safe access to the nearby playing fields. The developer has been in contact with the local access group to look at ways to improve the route

Ecology

The NNPF expects the planning system to conserve and enhance the natural and local environment by, amongst other things, “minimising the impacts on biodiversity and providing net gains in biodiversity where possible ...”. When determining planning applications the NNPF asks local planning authorities to apply various principles in order to conserve and enhance biodiversity, which include refusing planning permission if there is significant harm that cannot be mitigated against or compensated for, or where irreplaceable habitats are lost or destroyed, but encouraging opportunities to incorporate biodiversity in and around developments. Core Strategy policy CS12 is already in conformity with the NNPF on this.

The site itself has limited ecology value as there are no priority habitats or protected species. However the site is in close proximity to Newport Canal SSSI and Aqualate Mere SSSI. But given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on these SSSI's as a result of the proposal being carried out in strict accordance with the details of the application as submitted but have requested a condition requiring oil interceptors to prevent contamination of the Strine Brook.

Further to this, the LPA has now undertaken an HRA because of the site's proximity to the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar Phase 2. There will be minimal potential impacts as a result of the scheme on airborne pollutants, invasive species dispersal and impacts upon wildlife are deemed unlikely. The stream flowing close to the site feeds into the Strine Brook which flows away from Aqualate Mere, so surface water pollution resulting from the proposed development is therefore considered extremely unlikely to impact upon the European Designated Site at Aqualate Mere. The hydraulic gradient has been assessed to fall away from the Ramsar site towards the development site, in the 'safe direction', and no significant impact upon ground water recharge is considered likely. Ongoing risks from the residential development are also considered small and minor. Severn Trent Water have confirmed to the applicant that any water supply for the proposed development will come from distant sources and will not come from the 2 boreholes near Aqualate Mere which are at their abstraction limits and on which Severn Trent Water does not intend to grant further licences. Impacts on the Ramsar site are therefore considered unlikely. There are a relatively small number of footpaths around Aqualate Mere since the site is largely in private ownership and increased usage will not be significant. Severn Trent Water have not raised an objection and so it is therefore anticipated that Severn Trent Water can accommodate the additional foul water generated from the new development within their existing infrastructure without impacting upon water quality at Aqualate Mere. The LPA therefore concludes in the HRA that there is no likely significant effect and no likely effect on the integrity of the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar Phase as a result of the proposed development, and as a result there is no legal barrier under the Habitat Regulation Assessment process to planning permission being granted in this case.

The applicant proposes a landscaping scheme but the Council's Ecologist considers it contains too many ornamental plants, shrubs and trees which do not provide biodiversity enhancements. Officers would impose a condition requiring a landscaping scheme that includes more native species and which are more appropriate for biodiversity. Similarly a condition can be imposed requiring details of the design and planting for the pond.

Officers conclude that the proposal will not have an unacceptable effect on ecology and with appropriate conditions will result in some bio-diversity enhancement thereby meeting the aims and objectives of Local Plan policy UD4 and Core Strategy policy CS12

Drainage and ground conditions

The Council's drainage engineer has had some concerns about the applicant's intentions to use surface water soakaways with the current ground conditions and has been in dialogue to seek additional information and clarification. At present the drainage engineer still maintains an objection. Whilst there is an extant planning permission for the care village on the site, it appears that drainage may not have been fully investigated and drainage conditions were never discharged, and drainage legislation has moved on since the 2008 application was submitted. Members will be updated on the drainage situation.

With regards land contamination, the Council's Environmental Health officer raises the issue of the former adjacent quarry and the need for some further gas monitoring. Members will be updated.

Highways

The principle of creating a new access off the roundabout on Stafford Road has been accepted by the grant of planning permission for the previous CCRC development. However, putting half the site to housing alters the traffic movements to the junction and hence onto Stafford Road and the surrounding highway network. The Council's highway engineer has sought further evidence to demonstrate that junction capacity can cope with the additional traffic. The applicant has now carried out a sensitivity test of the proposed roundabout junction. The Council's highway engineer is now satisfied that the proposed access solution can accommodate the proposed development.

The Highways engineer is also now generally satisfied with the revised layout changes. However, there are a few relatively minor improvements to road alignment, road surfaces and visibility splays to attend to. In addition tracking information has been requested to demonstrate that refuse vehicles can negotiate the development in a satisfactory manner. Members will be updated.

In addition to the previous s106 financial contributions from the CCRC development (£15,000 for bus stop improvements, £20,000 for tactile crossings and £5,000 for relocation of the flower bed by the site entrance), additional off-site highways works are required that would require a financial contribution of £55,855.72.

S106 contributions & impact on affordable housing

The scale and nature of the proposed development requires contributions towards primary and secondary education, parks & open spaces and highways, as well as provision of a proportion of affordable housing, in order to accord with planning policies H22, LR6 of the Wrekin Local Plan and CS6 of the Core Strategy and in providing necessary community benefits.

From consultee responses, £294,747 is required for education, £66,600 for sport and recreation (based on £600 per dwelling) and £55,855.72 for off-site highway works. This is in addition to the £40,000 required for other highways works under the previous CCRC s106 agreement which needs to be carried forward to this application. These contributions, together with s106 monitoring fees, amount to £480,062.86.

The developer was prepared to provide 34% affordable housing and only £150,000 financial contributions to be spent as the Council deemed necessary for this development. This scenario would leave the developer with only a 14.51% profit, which is below the industry accepted standard of a minimum 20% profit and which has been accepted by planning inspectors at appeal. The developer has undertaken several viability assessments based on several scenarios and these have been assessed by the Council's Inward Investment & Housing Group Manager, taking into account build costs and any abnormal costs and allowing for a recognised 20% profit. As it stands the proposed scheme is unviable.

The new Planning Practice Guidance (PPG) in relation to Planning Obligations and Viability advises that where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligations would cause the development to be unviable, the local planning authority should be flexible in seeking those planning obligations. In this instance, the LPA is satisfied that the provision of the level of affordable housing required by policy CS6, namely 35%, plus the full £480,062.86 financial contributions would render the scheme unviable.

The NPPF is clear though that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development. The PPG acknowledges affordable housing contributions are often the largest single item sought on housing developments and that these contributions should not be sought without regard to individual scheme viability. Where affordable housing contributions are being sought, obligations should not prevent development from going forward.

Officers must be mindful of viability and the NPPF guidance. In this instance officers consider that the new housing development will impact on local infrastructure i.e. schools, roads and play space, such that without the necessary financial contribution to mitigate against the development, the impacts would be adverse and the development unsustainable and unacceptable. To this end, officers asked the applicant to re-run their viability assessment based on the full £480,062.86 of section 106 contributions, to see what % of affordable housing could be provided. This amounts to 16% with the developer prepared to accept an 18.4% profit. The contributions are set out in the table below.

S106 contribution	Requested contributions	Revised contributions
Bus stop improvements (as per previous care village application)	£15,000	£15,000
Tactile crossings (as per previous village application)	£20,000	£20,000
Flower bed relocation (as per previous village application)	£5,000	£5,000
Highways (off site works)	£55,855.72	£55,855.72
Education	£294,747	£294,747
Leisure @ £600 per dwelling (excluding care home units)	£66,600	£66,600
Affordable housing	35%	16%
Clauses from previous care village s106 relating to the care village part of the site to ensure that occupation is age restricted etc.	As per previous s106 for care village application	As per previous s106 for care village application
Total contributions	£457,202.72	£457,202.72
S106 monitoring @ 5% of total financial contributions	£22,860.14	£22,860.14
GRAND TOTAL	£480,062.86	£480,062.86

Officers consider that a compromise is necessary in this instance between the amount of affordable housing required for Newport (i.e. 35%) and the necessary appropriate infrastructure provision (and in light of the Council's shortage of a five-year housing land supply and presumption in favour of sustainable development) in order to enable a viable scheme that meets the safeguards that are necessary to make a particular development acceptable in planning terms. Officers are therefore willing to accept a reduced provision of affordable housing at 16% on the 111 units. It should be noted that the proposed CCRC units will provide elderly accommodation that usual affordable housing provision doesn't necessarily provide. Therefore on balance officers consider that 16% affordable, coupled with the elderly accommodation on the remainder of the site helps off-set the loss of overall affordable provision, is acceptable in order to bring forward the necessary s106 financial contributions.

CONCLUSION:

Under the NPPF and with the Council not having a five-year housing land supply, and taking into account the extant permission on the site that accepts built development on this site, there is no housing policy reason to refuse this application. Accordingly, the site is considered to be generally sustainable and accessible and accords with the criteria in NPPF regarding housing in the rural area and the provision of affordable housing, and policy CS9 of the Core Strategy.

Officers are satisfied that the proposed layout as amended results in a suitable design layout, with mix of housing types and density that will provide a form of development that will not be totally out of keeping with the surrounding existing development in the immediate area on this edge of town location and will not result in significant detriment to the residential amenity of existing properties.

The provision of some 108 continuing care units for the elderly on this site in Newport will help cater for some of Newport's growing elderly population, within the context of a national ageing population. Placing this community adjacent to open market housing will also help create a mixed community.

The Council's highway engineer is now satisfied that the proposed access solution can accommodate the proposed development. Issues of drainage and gas monitoring are likely to be able to be resolved, but members will be updated.

There are no protected species that will be adversely affected by the development or which can't be dealt with by condition. Despite the site being in close proximity to Newport Canal SSSI and Aqualate Mere SSSI, Natural England is satisfied that the nature and scale of the proposed development will not have an adverse effect on them. Officers have also undertaken a Habitats Regulations Assessment (HRA) and are satisfied that the proposed development will not have a significant effect nor a significant effect on the integrity of the European Designated Site at Aqualate Mere Midland Meres and Mosses Ramsar site and as a result there is no legal barrier under the HRA process to planning permission being granted in this case.

Despite some policy conflict with there not being 35% affordable housing, viability issues have to be considered and officers consider that the financial contributions for education, highways and recreation are necessary in order to make the development acceptable in planning terms. In order to achieve a viable scheme that includes these infrastructure financial contributions necessitates a reduction to 16% affordable housing across the open market housing part of the site. However, the elderly persons accommodation on the remainder of the site will result in a broader housing provision in the Newport area. Moreover, such accommodation will be provided without intervention through the section 106 mechanism. This in the view of your Officers will therefore help off-set the overall reduction of affordable housing provision here from 35% to 16%.

For the reasons set out in this report, officers consider the proposal to be sustainable. In light of the Council's shortage of a five- year housing land supply there are no significant material considerations that should be afforded greater weight to warrant refusal of this application. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal

against all material considerations, including planning policies and representations that have been received, and subsequently determining to grant planning permission, subject to conditions and a S106 agreement, in accordance with the presumption in favour of sustainable development as set out in the NPPF and local policies in the Wrekin Local Plan and Core Strategy.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the receipt of satisfactory drainage and gas monitoring information and subject to the applicant entering into a Section 106 Agreement to provide 16% affordable housing; £55,855.72 towards offsite highway infrastructure works; £15,000 towards bus stop improvements in the vicinity of the site; £20,000 towards tactile crossings in the vicinity of the site; £5,000 towards relocation of a flower bed, £294,747 towards primary and secondary education provision; £600 per dwelling towards offsite play and recreation in the vicinity of the site, s106 monitoring costs at 5%; and the following conditions (and any others that officers subsequently deem necessary):

A04	Time limit
B011	Samples of materials
BO12	Sample panel
B49	Highways condition
B034	Highway details
B041	Visibility splays
B042	Parking/Turning/Loading for care complex
B062	Foul & surface water sustainable drainage
B64	Soakaway test
B121	Landscaping design including pond
B126	Landscape Management Plan
B130	Trees – protective fencing
B145	Bat friendly lighting plan
B150	Site Environmental Management Plan
C013	Parking, loading, turning for care complex before occupation
C020	Highways condition
C073	Hedge protection
CO74	Tree protection
C035	Oil/sediment interceptors to protect Strine Brook
C091	Works in accordance with Ecology survey
C100	Bat and Bird boxes
C038	Development in accordance with plans
D03	Garages – restriction on residential use
Custom	Care units restricted to Use Class A2 use

Informatives

I06	S106 Agreement
I11	Highways
I22	Protected species
Icustom	Nesting birds
I32	Fire Authority
I35	Secured by Design
I40	Conditions
I41	Reason for Grant of Permission

TWC/2014/0335

Metal & Waste Recycling Ltd, The Old Smithy, Lightmoor Road, Lightmoor, Telford, Shropshire, TF4 3QN

Erection of new building for aluminium storage, associated water tank for dust suppression, additional acoustic barriers and demolition of mobile phone mast and compound

APPLICANT

Metal and Waste Recycling Ltd, Mr J Rice

RECEIVED

25/04/2014

PARISH

Dawley Hamlets

WARD

Dawley Magna

OFFICER

Rob Price

COUNCILLOR MOLLET AND COUNCILLOR BOULD HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS AT PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Noise and Visual Impact on Residential Amenity, Scale and design of development, Ground Stability

THE PROPOSAL:

The application seeks detailed permission for the erection of a new building for aluminium storage and associated water tank for dust suppression, additional acoustic barriers and removal of a mobile phone mast.

The development is required to ensure effective separation of the aluminium on site and does not indicate any intensification of activities or the introduction of any new activities or processes. It is proposed to split the metal compounds into two different areas, at the north will be the ferrous compound and the new building will be the aluminium compound.

The new building will measure 25m wide by 25m in length and be 12.3m to the ridge, 9.5m to the eaves in height. The new building will be constructed of concrete, metal panels with internal lining and acoustic panelling located at a central part of the site approximately 10m from the western boundary which is heavily landscaped. The aluminium compound will have sliding doors in the north-western elevation which will be closed when a lorry unloads or loads materials providing an effective acoustic enclosure.

An additional length of 100m of new acoustic fencing measuring 8m high will be located primarily on the western and northern boundaries and will adjoin the existing acoustic barrier and the proposed new building to provide a continuous acoustic barrier around the majority of the site.

There are currently three mobile phone masts on site and the sharing of these means that the most northerly mast and compound on the western boundary can be removed to accommodate a new 25m length of acoustic barrier at 8m high. These masts are approximately 17m high and are the only structures taller than the surrounding trees.

SITE AND SURROUNDINGS:

The site is roughly triangular, approximately 1.39 hectares in size situated to the north of the former disused railway line and the residential development at Leasowe Green.

The majority of the site is hardstanding, with a small level change from the northern part of the site to the centre; generally the levels outside of the site rise dramatically to the north. A large industrial building is situated within the centre of the site on the eastern boundary of the site abutting the highway. The existing 8m high acoustic barriers sits to the north of the site and adjoins the part of the northern and western boundaries. The entrance to the site is through a set of palisade gates at the north-eastern corner of the site; this 3m high palisade fence continues around the northern and eastern perimeter. Abutting the northern boundary is an open area of car parking. The site is screened from the highway by a scrubland type hedgerow, approximately 4m in height. Within the site, the skyline is dominated by the existing acoustic fencing, telecommunication masts, and a pylon to the south.

The site is approximately 60m to the nearest residential property at Leasowe Green to the south of the site, 95m to the nearest residential property at Gravel Leasowes to the north west of the site and 100m to the nearest property at Holly Road, Little Dawley to the north east of the site. The site is located in a mixed residential and commercial/industrial area, with a number of other businesses located along Lightmoor Road.

PLANNING HISTORY:

W75/0102 - Retention Of Use Of Existing Land And Buildings For The Garaging And Dismantling Of Motor Vehicles And The Storage and Sale Of Motor Spares - Approved 07/1975

W76/0604 - Retention Of Use Of Existing Land And Building For The Garaging And Dismantling Of Motor Vehicles And The Storage and Sale Of Motor Spares - Approved 01/1977

W78/0960 - Use Of Existing Land And Buildings For The Garaging And Dismantling Of Motor Vehicles And The Storage And Sale Of Motor Spares - Approved 06/1979

W84/0694 - Renewal Of Permission For Use Of Land And Buildings For The Garaging And Dismantling Of Motor Vehicles And The Storage And Sale Of Motor Spares - Approved 01/1985

W88/0041 - Continued Use Of Land For The Storage And Dismantling Of Scrap Vehicles, And Sale Of Motor Spares And Scrap Metal - Approved 04/1998

W93/0257 - Continued Use Of Yard For Car Dismantling And Scrap Storage, approved 07/1994

W95/0720 - Change Of Use To Retail Car Sales (part of the site) - Approved 11/1995

W97/0832 - To Vary Condition No.5 Of Previous Permission W93/0257 By Allowing Scrap To Be Stacked To A Approximate Height Of 4.8m (Max) With North/West Portion Of Yard - Refused 04/1998

W97/0385 - Erection Of A Prefabricated Building To Accommodate Office Unit And Night Watchman - Approved 08/1997

W/97/0672 - Retrospective Application For Storage Of Scrap Cars & New Boundary Fence - Refused 04/1998

W2002/0216 - Residential Development (Outline) - Refused 05/2002

W2009/0662 - Outline Application For Residential Development, Including Access - Withdrawn

TWC/2010/0146 – Residential Development (Outline) – Withdrawn

TWC/2011/0749 - Continuation of use of the site for car dismantling and scrap storage and installation of a baler machine and associated engine house (Retrospective) – Approved 09/2012

PLANNING POLICY CONTEXT:

National Planning Policy Framework (March 2012)

LDF Core Strategy

CS2 Jobs

CS3 Telford

CS12 Natural Environment

CS13 Environmental Resources
CS15 Urban Design

Saved Wrekin Local Plan Policies
EH14 Land Stability
UD2 Design Criteria

CONSULTATION RESPONSES:

CLlr Clive Mollet: Object on the grounds that this facility already generates a noise and traffic nuisance to residents, which will only be exacerbated by any increase in capacity.

CLlr Frances Bould: Support improvements subject to noise conditions.

Dawley Hamlets Parish Council: Object. The Parish has the same concerns it expressed with application TWC/2011/0749 when there was concern over the noise levels on the site. At that time, it was acknowledged that the application sought to mitigate against noise levels and the Parish Council sought a condition that noise levels on the site should be maintained at an acceptable level. This has not been effective and the noise from this site can be heard as far away as Malvern Crescent Little Dawley. The Parish Council continues to receive concerns from residents of the parish and this site is one of the main sources of complaint. We continue to have concerns over the unacceptable noise levels experienced by residents and this additional facility will exacerbate the problem; the existing noise prevention measures do not appear to be effective and this proposal will add an additional noise impact which it seems, if the same ineffective noise mitigation is used, will simply add to the discomfort of the residents.

Environmental Health (Pollution Control): Comment that the applicant's noise consultant submitted a technical report ref: PC-11-0390-RP6 dated 28th February 2014 outlining the new proposals including some additional engineering works and management controls concluding that:

- Noise levels at the nearest residential properties are expected to be below the noise limiting criteria for both LAeq and LAm_{ax} when the proposed acoustic barrier around the site and the proposed aluminium enclosure are installed.
- The sliding door of the aluminium enclosure should be closed during operations.
- The 8 m barrier has been designed to minimise the effects of the noise sources at the nearest residential properties. Please note that a worst case condition has been used for calculation purposes and it is unlikely that this case will occur on a daily basis.
- The noise impact assessment based on the new operation and the proposed

aluminium enclosure is predicted to be of marginal significance at R1 and 3, and complaints will be unlikely at receivers R2, 4 and 5 in accordance with BS4142:1997.

It is noted that the existing noise levels set by planning application ref: TWC/2011/0749 are considered not to offer an appropriate control metric as justified complaints have been noted by the EA. It is therefore proposed that as the applicant has demonstrated compliance with BS4142:1997 this offers a better means of demonstrating ongoing compliance for the site.

Engineering works:

- Noise levels predicted meet the existing planning controls specified in planning decision for TWC/2011/0749.
- Contained tipping area (the process building) identified within the application
- Additional acoustic barriers (identified on the plans accompanying this planning application)

Management controls:

- No open yard tipping
- Tipping inside the process building with doors closed.
- Conclusion that BS4142:1997 criteria can be complied with and are an appropriate noise control metric.

In line with the PACE consult report, if the committee are minded to approve the application conditions regarding a noise management plan, hours of use, details and construction of the acoustic barrier and noise levels are recommended.

It should be noted that the conditions recommended should apply site wide. To acoustically separate activities from general site noise is impracticable in terms of mitigating overall noise impact from the site or determining compliance with noise conditions, hence the need to be consistent with the EA permit requirements. The proposed noise management condition above expands on the more general requirement in the draft permit proposed by the Environment Agency, providing additional guidance and direction as to what is required. It is anticipated that the planning condition and the condition for the environmental permit will substantively be the same. It is anticipated that the proposed work will improve the noise climate of the area and help reduce the impact of noise for the community.

Highways: No objection.

Drainage: No objection.

Sustainability: No comment.

Ecology: Comment that the close proximity of the surrounding woodland and Local Wildlife Site is noted and the potential for impacts from new site lighting. Include condition for lighting plan and informatives for nesting birds, great crested newts, trenches and pipes and storage of materials.

Shropshire Wildlife Trust: Comment that an external lighting plan is required to ensure biodiversity enhancements as required by the NPPF.

Environment Agency: Comment that they have no objection and are not seeking to 'control' the proposal through planning as the site requires an Environmental Permit.

Coal Authority: No objection.

Shropshire Fire & Rescue: No comment.

5 neighbour consultation responses have been received from local residents comprising of 4 objections and 1 commenting on the following concerns:

- Excessive noise
- Acoustic barriers do not work / are the wrong design
- Doors of building will not be closed
- Concern over increase of 50,000 tonnes annual throughput
- Use harmful to residential amenity
- Use more appropriate to industrial estate
- Highway safety concerns
- Anti social behaviour with littering and shed loads

PLANNING CONSIDERATIONS:

The principle of a scrap yard has been well established on this site and regularised under the previous planning permission TWC/2011/0749.

The principle planning issues for consideration are the effects of this proposal on local amenity in terms of noise and visual impact.

NPPF paragraph 109 states that "The planning system should contribute to and enhance the natural and local environment by: preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability"; Paragraph 122 of the NPPF states "...local planning authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of the processes or emissions themselves where

these are subject to approval under pollution control regimes.” This is further supported by Paragraph 123 states that planning decisions should aim to: “avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;...”

Relevant development plan policies include the offer of job opportunities in Telford under policies CS2 Jobs and CS3 Telford. Development should also be mindful the effects it might have on biodiversity and environmental effects under policies CS12, CS13 and EH14.

Noise Impact

Given the established use of the site, its location surrounded by a landscape buffer and topography the proposal to provide an additional 100m of new acoustic barrier measuring 8m high adjoining the existing acoustic barrier and the proposed new building to provide a continuous acoustic wall around the majority of the site to mitigate noise pollution to the local amenity is welcomed. The acoustic barriers proposed will match those built in 2012. Above 4m the barriers are purpose made with Rockwool liner and perforated metal facing. They are held in place by vertical steel stanchions.

The 8m high absorptive faced acoustic barrier and the new aluminium enclosure were designed to minimise the noise emission from the yard. More specifically, noise emissions have been modelled from lorries unloading raw materials from the separated ferrous and newly introduced aluminium enclosure and the noise levels from lorries loading processed materials from the baler area.

The acoustic barrier has been designed to offer a sound reduction R_w of 32 dB. This is expected to reduce the outdoor sound levels at the nearest noise sensitive receptor by a minimum of L_{Aeq} 6 dB.

The consideration of noise is paramount to this application and the proposal's impact on residential amenity. The Environmental Health Officer has reviewed the supporting information and has advised that the existing noise levels set by planning application TWC/2011/0749 are not considered to offer an appropriate control as justified complaints have been noted by the EA. It is therefore proposed that as the applicant has demonstrated compliance with BS4142:1997 this offers a better means of demonstrating ongoing compliance for the site. As such suggested conditions that are designed to limit disturbance and reduce the likelihood of complaint have been put forward. It is anticipated that between the planning controls requested and the environment agency permit requirements, noise impacts of the proposal can be further mitigated.

Visual Impact

The site is located within an area of woodland with the only boundary adjacent to the public domain being the north-east at the entrance. The trees are planted on sloping ground immediately outside the site boundary. The tops of these trees lie between 12 and 15m above the relative flat area of the site and therefore provide good screening from most viewpoints. As the trees are deciduous the extent of screening will vary with the season. The presence of the trees is important in softening the view. In winter the new acoustic barrier and building will be visible from Leasowe Green. Furthermore the siting of the proposed building takes advantage of the existing dense screened adjacent to the western boundary.

Taking account of the existing number of telecommunication masts on the site, the proposed removal of a mast will improve long distance views. The visual impact effects of a mobile mast are considered to be more than that of the replacement acoustic barrier, and subsequently provide some enhancement.

It is considered the introduction of a new building and additional acoustic barrier will be noticeable from Leasowe Green and the entrance to the site at the north east corner. However, for the majority of the year the effects of this visual impact of the new building and acoustic barrier will be softened by the existing landscaping. As such it is considered the visual impact of the proposal is low and any negative impact needs to be balanced against the purpose of the new building and acoustic barrier in controlling noise pollution.

Scale and design of development

The new warehouse type building will be constructed of concrete and acoustic panels, its proposed scale, mass and design is considered appropriate for the industrial use and will further serve to enclose the noise nuisance to the site.

The roof drainage for the building will drain into above ground storage tanks which will be used for dust suppression operations on the site. The overflow from these will be into the existing interceptor. This will attenuate the discharge to mains drainage and depending on the use of dust suppression sprays will also reduce the amount of rainfall into the drainage system.

It is considered the proposed development will be in keeping with the context of existing structures on site and the building and structures atypical of that to be found on industrial uses throughout the Borough and is in accordance with policies CS15 of the Core Strategy and UD2 of Wrekin Local Plan.

Intensification

The application form submitted by the agent specifies that the sites maximum annual throughput will total 85,000 tonnes. This was queried with the applicant who has confirmed by letter that there is no intensification in use and the maximum annual throughput will continue to be limited to approximately 50,000 tonnes per annum and it is considered appropriate to condition this as such.

Highway impact

As there is no increase in throughput or a material change in operations and the application is simply for a new building and new acoustic barriers there are no changes in traffic movements or highway matters for consideration. It is considered the new noise barriers will provide better shielding of noise from lorries turning within the site. Furthermore the proposed location of the building or the barrier will not hinder manoeuvrability or highway safety.

Ground Stability

Consideration should be made towards the NPPF which clearly indicates where a site is affected by contamination or land stability issues responsibility for securing a safe development rests with the developer and/or landowner. A site stability declaration form has been completed by the applicant. Subsequently officers consider that the application has been sufficiently addressed to comply with the guidance in the NPPF.

Other issues

No concerns have been raised by the Councils Drainage Engineer with regard to the impact on surface water drainage, and as such the proposal will not adversely affect the area by virtue of flooding.

The Councils Ecologist and Shropshire Wildlife Trust have commented that they wish to see the provision of a lighting plan to protect local bat populations which can be requested through condition should the application be approved.

This development will enable the applicant to continue to operate in a considerate manner to neighbouring uses and operate more efficiently in a changing industry thus providing jobs to the local area.

Conclusion

In conclusion, whilst there is objection to the application, and the Council is sympathetic to local residents concerns regarding ongoing effects on local amenity, the principle of a scrap yard has been well established on this site and regularised under the previous planning permission TWC/2011/0749. It is considered that this proposal seeks to provide additional measures that will control noise pollution in the form of a new building and additional acoustic screening. Further control of the use by conditions relating to the detail and construction of the acoustic barrier, the noise management plan, noise levels, hours of operation and total annual throughput being limited to 50,000 tonnes are considered appropriate to safeguard residential amenity. Consequently it is considered that the proposed development complies with both local and national planning policy.

RECOMMENDATION: Based on the conclusion above, the recommendation to Planning Committee on this application is that delegated authority be granted to the Service Delivery Manager of Development Management to GRANT PLANNING PERMISSION subject to the following conditions (with authority to finalise conditions and reasons for approval):

1. A04 Time limit
2. Bcustom Details and construction of acoustic barrier
3. Ccustom Noise management plan
4. Ccustom Ecology lighting plan
5. C38 Development in accordance with plans
6. D04 Hours of operation 08:00hours to 18:00hours Monday to Friday, 09:00hours to 13:00hours Saturday, No working on Sundays or Public Holidays
7. DCustom Noise generated by activities and operations on the site shall not exceed +5dB rating level as determined at any noise sensitive receptor in accordance with British Standard 4142:1997
8. Dcustom Total annual throughput of material shall not exceed 50,000 tonnes

- I25e Trenches
- I25m Nesting birds
- I32 Fire authority
- I35custom Great crested newts
- I35custom Storage of materials
- I35custom Ground nesting species
- I40 Conditions
- I44 Reasons for grant of approval

TWC/2014/0366

3 Cherry Tree Hill, Coalbrookdale, Telford, Shropshire, TF8 7EQ
Installation of roof mounted solar panels (Retrospective)

APPLICANT

Robert Petty

RECEIVED

30/04/2014

PARISH

The Gorge

WARD

Ironbridge Gorge

OFFICER

Rob Price

COUNCILLOR DAVIES HAS REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS AT PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle, Effect on heritage assets, Sustainable energy

THE PROPOSAL: Installation of roof mounted solar panels (retrospective)

SITE AND SURROUNDINGS:

The solar panels have been erected on the south facing roof of the dwelling house known as 3 Cherry Tree Hill. The dwelling is from the mid nineteenth century of brick and tile construction, is of good character and proportion with its back to the road due to local topography and is locally listed for its group value with other dwellings in the vicinity.

The dwelling is accessed from Cherry Tree Hill and has an area of parking and an enclosed garden area to the west of the dwelling house. The garden has a number of amenity outbuildings and has an open aspect to the south of the property, being highly visible from School Road and Woodside located on the other side of the valley beyond a railway line that serves the Ironbridge Power Station and a community orchard in the ownership of the Severn Gorge Countryside Trust.

The surrounding area is primarily residential and woodland set on the northern flank of the Coalbrook valley in the periphery of the Ironbridge Gorge World Heritage Site.

PLANNING HISTORY:

W2010/0013 - Erection Of A Single Storey Extension And Glazed Canopy To West Elevation – Withdrawn 24/02/2010

PLANNING POLICY CONTEXT:

National Planning Policy Framework (March 2012)

Core Strategy

CS13 - Environmental Resources – Seeks the production of energy from renewable sources, will be supported where consistent with other policy in the development plan.

CS14 – Cultural, Historic and Built Environment – Focuses on the protection, conservation and enhancement of the unique character of the World Heritage Site.

CS15 – Urban Design – Looks to strengthen local identity and positively influence the appearance and use of the local environment.

Wrekin Local Plan

NR1 – The location of renewable energy developments should be assessed on a site by site basis and should accord with other policies in the plan particularly those regarding the historic environment.

NR3 – Seeks to promote energy efficiency.

UD2 - Design Criteria – General design guidance refers specifically to respecting historic value and maintaining the quality of the skyline.

HE3 – Governs new development in Conservation Areas the salient point regards preserving and enhancing the character and appearance of the area.

HE25 - Buildings of Local Interest should be preserved and enhanced and will resist development that would have an adverse impact on the character of the building.

SG1 - World Heritage Site – Significant weight should be attached to the international value of the Severn Gorge area as World Heritage Site.

SG4 - Landscape and Nature Conservation – Existing skyline and views to and from the Gorge as well as the setting of the World Heritage Site should not be adversely effected.

CONSULTATION RESPONSES:

Cllr David Davies: Supports the proposal due to incorrect advice and the ambiguous and vague nature of the wording of the Article 4 direction.

The Gorge Parish Council: Comment:

The Parish consider that the design of the panels is less obtrusive than many, but still has a visual impact affecting neighbouring properties and the surrounding area. The requirement as part of our obligations as custodians of a World Heritage Site to maintain the future of the Area of Outstanding Universal Value means that setting a precedent on the acceptance of Solar Panels on the roofs of houses in The Gorge is a significant step. We have asked for the opinion of the World Heritage Site Steering

Group as we wouldn't want to risk the loss of World Heritage Site Status in the future because of poor decisions made now.

Sustainability: Comment.

We should actively support and help drive the delivery of renewable energy. Obviously, any adverse impacts should be addressed satisfactorily. The need for renewable energy does not automatically override environmental protections. Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of planning proposals on views important to their setting. Protecting local amenity is an important consideration which should be given proper weight in planning decisions. We should give significant weight to the wider environmental, social and economic benefits of renewable projects whatever their scale.

Built Heritage and Conservation: Objects

On the grounds that the change to the appearance of the roof slope is detrimental to the setting a designated heritage asset (Ironbridge World Heritage Site). The appearance of clay tiled roofs is one of the inherent features of the Gorge, which by its nature is characterised by sloped Gorge sides exposing the roof lines of the settlement. Care is taken with any application to extend or build within The Gorge to ensure that roofing materials are chosen to reflect the prevailing local form to preserve that particular characteristic. Roof slopes are covered under the Article 4 Direction for this reason. The visual change to a modern black, shiny panel is therefore at odds with both the appearance within the Gorge but also in conflict with policies which seek to preserve local distinctiveness (CS 14 and 15 Core Strategy). The NPPF states at para 134 where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The applicant has not supplied sufficient justification to demonstrate that the panels provide a public benefit or that the contribution to the reduction in energy footprint outweighs the harm. Nor has the applicant offered any evidence that this is the only location that can be utilised to locate the panels. English Heritage guidance on panels seeks to find alternative locations rather than principle elevations. Sites such as single storey roof, flat roofs, ancillary structures or utilisation of the garden area or opting for solar generation devices that better replicate traditional materials. These elements do not appear to have been considered. In considering how to reduce energy use other sources such as heat retention improved glazing, insulation, damp treatments, a more efficient boiler/heater should be thought of, all of which contribute to a reduction in energy consumption without visual intrusion. Whilst we support sustainability (where it does not come directly into conflict with other policies) these alternatives should be pursued before those options which result in visual harm. The applicant has not provided a clear justification to outweigh the harm to the setting. Given the high sensitivity of the internationally significant World Heritage Site and the inherent

issues of dealing with roof slopes which are a particular feature of The Gorge and therefore materially significant, the baseline evidence of need/justification/mitigation should be clearly demonstrable and thorough, in this case this has not been proven.

English Heritage: Comment.

In relation to the National Planning Policy Framework the core planning principles in para 17 mention both the Government's desire to encourage the use of renewable resources and the need to 'conserve heritage assets in a manner appropriate for their significance. The public benefit of renewable energy does not automatically 'trump' heritage issues. Paras 132-134 set out the heritage tests and 138 deals with World Heritage Sites. A key consideration in looking at para 133 is whether substantial harm (if it is assessed as such) is necessary to achieve substantial public benefits, and in particular, whether the contribution to energy generation can be achieved elsewhere or in a less damaging way. In assessing harm the Outstanding Universal Value of the World Heritage Site should be considered. We recommend impact upon setting should be assessed using the English Heritage 'Setting Guidance' 2011.

Shropshire Fire Service: No comment.

Severn Gorge Countryside Trust: Comment

that they manage the community orchard next to this property and have no objection to these solar panels which do not seem obtrusive.

31 consultation responses have been received and 20 of these can be confirmed as residents living in the Gorge area. The responses received comprise of 26 supporting the proposal, 4 objections and 1 commenting on the following issues regarding the solar panels proposal:

- They will reduce carbon emissions
- Renewable technology should be encouraged
- They contribute to a sustainable future
- Socially responsible proposal
- They are discrete
- Not obtrusive/offensive
- Satellite dishes, plastic windows and wheelie bins are more obtrusive
- Not visible from the community orchard
- Solar panels fitted to rear of house and do not front a highway
- Foliage screens proposal from footpath
- No detrimental effect on the character or vernacular of the area
- The solar panels are in the spirit of enterprise characterised in the area
- We should not be stuck in the past
- The solar panels blend well and do not contrast with roof
- Wrong planning advice given

- Article 4 misinterpreted
- Planning permission not required
- Inconsistent planning advice given
- Proposal does not front a water course or open space
- Open space is some distance away over railway line
- Coalbrook is underground so the property does not face it
- Clarification and guidance on microgeneration is required
- Clarification on important visual zones
- Panels are prominent and visible
- Panels are visible from right of way and railway footbridge
- Panels are out of keeping with the area
- Panels would affect the character of the building
- Green energy gain would be better served by solar panels on new homes
- Other options should be explored – different types of panels or locations
- Would set a precedent
- Would have a negative visual impact on the historic landscape character
- Allowing solar panels in the WHS could lead to its de-listing by UNESCO

PLANNING CONSIDERATIONS:

The proposal, whilst a retrospective application, is to be considered and determined purely on the proposals merits in accordance with the adopted development plan. What advice was given to the applicant or not as the case may be, in addition to the interpretation of the wording of the Article 4 direction that has governed that this development requires planning permission are immaterial planning considerations.

The planning policy context for the proposal in terms of the principle of development is governed by the following main policies. The National Planning Policy Framework paragraphs 17, 93, 95, 97 and 98 seek to tackle climate change, promote the use of renewable energy and energy efficiency in suitable areas and advises Local Planning Authorities to approve applications if a proposals impacts are (or can be made) acceptable. National Planning Policy Framework paragraphs 132- 138 deal with conserving and enhancing the natural environment and replaced PPS5 – they refer to the significance of setting and heritage assets affected and great weight being attached to conservation but also refers to substantial harm and less than substantial harm when weighed against public benefits of a proposal and that not all elements of a World Heritage Site (WHS) or Conservation Area (CA) will necessarily contribute to its significance.

Planning Practice Guidance issued in March of this year has expanded on the importance of WHS and their Outstanding Universal Value (OUV) – a statement of OUV is agreed and adopted for each WHS. World Heritage Sites are designated heritage assets of the highest significance and applications should be assessed against the Outstanding Universal Value of the particular WHS. The Ironbridge

Gorge was declared a World Heritage Site in 1986 and in terms of importance stands alongside other significant natural, historic and cultural iconic heritage assets such as the Great Barrier Reef, the Pyramids of Egypt and The Great Wall of China.

English Heritage have produced a raft of national guidance including:

- The Protection & Management of WHS in England (2009)
- Small scale photovoltaic energy and traditional buildings (2008)
- Micro wind generation and traditional buildings (2010)
- Microgeneration in the historic environment (2008)
- Setting Guidance (2011)

English Heritage Setting Guidance states that the contribution of setting to the significance of a heritage asset is often expressed by reference to views – a view being a purely visual impression of an asset or place, obtained from, or by moving through, a particular viewing point or viewing place. The setting of any heritage asset is likely to include a variety of views of, across, or including that asset, and views of the surroundings from or through the asset. A long-distance view may intersect with, and incorporate the settings of numerous heritage assets. Views from within extensive heritage assets can also be important contributors to significance. Particular views may be identified and protected by local planning policies and guidance. This does not mean that additional views or other elements or attributes of setting do not merit consideration.

Telford and Wrekin Council do not currently have any specific supplementary planning guidance to assess micro-generation planning applications in the World Heritage Site. Whilst it is acknowledged that supplementary planning guidance on micro-generation that effect historic assets would assist, in the context of making a decision on this proposal this does not weigh in the balance.

The Ironbridge Gorge Statement of Outstanding Universal Value (2011) notes that: the Ironbridge Gorge World Heritage property covers an area of 5.5 km² (550ha).

The boundary of the Property is clearly defined by the steep sided Gorge and encompasses an extraordinary concentration of mining zones, foundries, factories, workshops and warehouses which coexists with the old network of lanes, paths, roads, ramps, canals and railroads as well as substantial remains of traditional landscape and housing: the ironmasters' houses, the workers' living quarters, and public buildings and infrastructure are all within the five identifiable areas of Coalbrookdale, Ironbridge, Hay Brook Valley with Madeley, Jackfield and Coalport, which are enclosed by a common boundary. The well preserved historic fabric is well supported by detailed historic archives and collections of manufactured goods. The technologically revolutionary Iron Bridge spanning the River Severn Gorge is the focal point of the Site and together with the attributes above, include all that is

necessary to convey the former pioneering intense industrial past within its green landscape and thus the Outstanding Universal Value of the Property.

Whilst noting the sustainable credentials of the proposal, the acid test in a conservation area is whether a proposal preserves or enhances the character and appearance of the area. It is considered that the proposal does not meet this test. The next test is the degree of harm associated with the proposal and in this particular location and in this circumstance it is considered that the proposal has less than substantial harm to the significance of a designated heritage asset as the proposal materially affects the roofscape and views to the application site.

When considering the proposal against the development plan and national policy guidance it is felt that the development has failed to demonstrate that the environmental benefits are so great that they outweigh the significant harm caused by the appearance of the solar panels and fail to preserve or enhance the World Heritage Site or Locally Listed Building.

The precedent that could be set by granting planning permission in this location could lead to a proliferation of these types of proposals; whilst each case is considered on its own merits the ability to resist the installation of such solar panels on locally listed buildings and within the World Heritage Site will have been weakened, and others are likely to come forward as such enquiries have been made.

Other issues

When roof spaces in residential building in the Gorge are converted to habitable rooms new rooflights are often requested to be incorporated into the roof to allow light into the room. Whilst acknowledging that the use of rooflights is not uncommon in the World Heritage Site, planning permission is required for this development and whilst each proposal is dealt with on its own merits this type of development is only considered acceptable when not set on principle elevations and when they are small facilities set flush with the roof line. Apart from the fact both this proposal and a rooflight are both set on a roof, a large expanse of solar panels are considered to be more visually prominent than a roof light and the two are not considered to be comparable.

The reason people live in and visit the World Heritage Site is for its unique character and environment which includes the roofscape and landscape setting. It is considered that the cumulative erosion of the character and uniqueness of the World Heritage Site could threaten the status and value of its listing both locally and more strategically with UNESCO. The value of the setting is also considered important in terms of the long term effects of the tourism benefit afforded to the area.

There are a number of alternative types of options for installing a solar photovoltaic (PV) system including the following:

- Fixing the array over the roof finish (as in the application at Cherry Tree Hill)
- Tiles integrated into the roof finish
- Installation away from the building

In acknowledging the proposal has secured a deep black colour in an attempt to best match the roof tiles the reflective nature and the fixing of the solar panels above the roof line when viewed from the opposite side of the valley and the railway bridge is still considered incongruous. Roof-integrated photovoltaics might appear to be a less obtrusive way of securing this form of renewable energy. To integrate an array into the roof finish, PV tiles are used that replace individual ordinary roofing tiles or slates, or several, with larger single PV tiles. In some installations part of the original roof covering is replaced with PV tiles or the whole covering is replaced, depending on the energy need. However, many of these systems will only be compatible with certain makes of roof tiles and slates. Again whilst it is noted supplementary guidance here would assist in decision making at this time it must be concluded that without justification the proposed design is not considered acceptable and does not outweigh the harm caused to the locally listed building or the World Heritage Site.

The local listing description of the building describes the dwelling as having its back to the road. The principle elevation for this dwelling like many in the local area is set away from the road due to the topography of the location. The solar panels are located on this principle elevation and it is considered that alternative locations could have been explored on site such as a ground mounted facility adjacent to the south facing boundary wall to Cherry Tree Hill. In addition the roof pitches facing east and west could have been considered where the facility would be less visible, harmful and obtrusive. As such it is considered that there are less harmful more appropriate alternative locations for the solar panels to be installed and that the justification for the proposed location is not considered sufficient to outweigh the harm caused to the locally listed building or the World Heritage Site.

The public benefit of these solar panels is questionable and difficult to quantify without sufficient evidence. While no doubt the solar panels are of obvious benefit to the applicant the benefit to the wider community is less obvious and when measure against the effect on the character of the area and the building the public benefit becomes questionable at best.

Conclusion

In considering this application the two primary factors that weigh in the planning balance are the effect of the proposal on heritage assets namely the character of this part of the Ironbridge Gorge World Heritage Site and the character of a locally listed

building when considered against the justified sustainable credentials of a renewable energy proposal.

The precedent that could be set by granting planning permission in this location could lead to a proliferation of these types of proposals; whilst each case is considered on its own merits the ability to resist the installation of such solar panels on locally listed buildings and within the World Heritage Site will have been weakened.

RECOMMENDATION: Based on the conclusion above, the recommendation to Planning Committee on this application is that planning permission be REFUSED for the following reason:

1. The Local Planning Authority consider that the proposed solar panels fail to preserve or enhance the character, appearance or setting of the locally listed building and World Heritage Site as they materially affect the roofscape and views to the application site. Accordingly the solar panels are considered to cause substantial harm on the character, appearance and setting of the locally listed building and World Heritage Site which has not been adequately justified. Consequently the proposal is contrary to policies CS13 and CS14 of the Telford & Wrekin Core Strategy, policies NR1, UD2, HE3, HE25, SG1 and SG4 of the Wrekin Local Plan and guidance set out in the NPPF.