



Telford & Wrekin  
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

## PLANNING COMMITTEE

Date **Wednesday, 2 May 2018** Time **6.00pm**  
Venue **Meeting Room G3/G4 Addenbrooke House, Ironmasters Way, Telford TF3 4NT**

### Enquiries Regarding this Agenda:

Democratic Services	Jayne Clarke	(01952) 383205
Media Enquiries	Corporate Communications	(01952) 382406
Lead Officers	David Fletcher – Development Management Service Delivery Manager	(01952) 384133
	Katherine Kynaston – Assistant Director: Business, Development & Employment	(01952) 384012

**Committee Membership:** Councillors H Rhodes (**Chair**), C R Turley (**Vice Chair**),  
N A Dugmore, I T W Fletcher, J Loveridge, N C Lowery, R Mehta,  
L A Murray and P Scott

**Substitutes:** Councillors E A Clare, G H Cook, J A Francis, E J Greenaway,  
K R Guy, R T Kiernan, C F Smith, M J Smith and W L Tomlinson

## AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix A  
To confirm the minutes of the meeting of the Planning Committee held on 21 March 2018.
4. **Deferred/Withdrawn Applications**
5. **Site Visits**
6. **Planning Applications for Determination** Appendix B  
Please note that the order in which applications are heard may be changed at the meeting. If Members have queries about any of the applications, they are requested to raise them with the relevant Planning Officer prior to the Committee meeting.

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## PLANNING COMMITTEE

# A

### Minutes of a meeting of the Planning Committee held on Wednesday, 21 March at 6.00pm in the Charlton School, Apley Avenue, Wellington Telford

**Present:** Councillors H Rhodes (Chair) I T W Fletcher, E J Greenaway (As substitute for N A Dugmore), N C Lowery, R Mehta, P J Scott, L A Murray, C Smith (As substitute for J Loveridge) and C R Turley.

#### **PC-075**      Apologies for Absence

Councillor N A Dugmore and J Loveridge

#### **PC-076**      Declarations of Interest

Councillor C Turley declared an interest in TWC/2018/0013 as he was a Member of Hollinswood and Randlay Parish Council but had taken no part in any discussions on this matter.

#### **PC-077**      Minutes

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 23 February 2017 be confirmed and signed by the Chairman.

#### **PC-078**      Deferred/Withdrawn Applications

None

#### **PC-079**      Site Visits

None.

#### **PC-080**      Planning Application for Determination

- a) TWC/2017/0941 – Land West of, Castle Farm Way, Priorslee, Telford, Shropshire

This was a full application for the erection of 395 dwellings and associated infrastructure, with 25% of the dwellings being affordable. Two new vehicular access points would be created, one of which would be a signalised junction. Outline Permission for 600 dwellings had been granted in 2014, therefore the principal of development on this site had been established.

Councillor V Fletcher, Ward Councillor, raised concerns in respect of flooding, highways impact, speed of Castle Farm Way and the lack of local primary school places.

Mr D Shaw, Applicant, spoke in support of the development and stated that Redrow had worked with officers to produce the current scheme. The scheme would be an attractive environment and in accordance with the Local Plan.

Members welcomed the provision of 25% affordable properties and noted that the principal of development on the site had been established. Members welcomed the inclusion of bungalows on site.

Members noted their concerns regarding traffic management, particularly the existing 60mph speed limit on Castle Farm Way. The Group Manager – Development Team advised that criteria needed to apply to reduce the speed limit on roads and this was difficult to do ahead of the commencement of a development. The speed limit would be kept under close review. It was noted that Highways England had not objected to the proposals. In response to a question, it was confirmed that the estate roads would be built to an adoptable standard.

Members acknowledged the inclusion of a footpath to Holy Trinity Academy and felt this would enable the school to open the gate if required or requested in the future.

Concerns were raised regarding local primary education. Concerns were raised regarding what would happen if the proposed new primary school was not built, as the existing schools could not be expanded. It was confirmed that the Education officers had built flexibility into the Section 106 agreement.

Upon being put to the vote it was, unanimously:-

**RESOLVED** – That in respect of Planning Application TWC/2017/0941 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the following:

- a) The applicant / landowner and other interested parties entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) with indexing applicable from the date of the committee resolution to grant Outline consent for the following:
  - i) The provision of 25% affordable housing (80% social rented and 20% shared ownership)
  - ii) Financial contributions toward
    - £339,527.93 for Highway Infrastructure Improvements at Limekiln Roundabout and Priorslee Roundabout,
    - £120,000 bus subsidy,
    - £10,000 bus stop enhancement
    - £10,000 travel plan,
    - £1,233,548 Primary Education – the school that will be built as part of the Priorslee Urban Extension, but with flexibility in case the school not built by then
    - £429,772 Secondary Education – Holy Trinity School or if not possible the contribution would be directed to the Telford Priory School,
    - £170,000 for improvements to the existing Teece Drive NEAP

All indexation to be calculated from the date of the committee resolution to grant planning permission.

**The conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager) contained within the report.**

b) TWC/2018/0013 – Plot 5A and 5C, Telford 54 Business Park, Nedge Hill, Telford, Shropshire

This was a full application for the erection of two industrial buildings on an allocated employment site.

Members supported the proposals, which was felt to be a good news story. It was confirmed that sufficient cycle parking would be provided and that a contribution towards highways improvements would be included.

Upon being put to the vote it was, unanimously:-

**RESOLVED – That in respect of Planning Application TWC/2018/0013 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the following:**

- a) **The applicant/landowner entering into a Memorandum of Understanding agreeing to the provision of:**
  - i) **A financial contribution of £39,178.73 towards improvements to the local highway network in the vicinity of the application site, and with indexation calculated from the date of this committee.**
  
- b) **The conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager) contained within the update report.**

The meeting ended at 6.46 pm

**Chairman:** .....

**Date:** .....

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE



2 May 2018

Schedule 1 - Planning applications for determination by Planning Committee

<b>TWC/2016/0589 Land to the rear of 40-42 St Marys Street, Newport, Shropshire</b> Erection of 9no. dwellings and 3no. flats with associated access and parking, following demolition of existing industrial/warehouse buildings (Full Planning) ***AMENDED PLANS RECEIVED*** .....	<b>8</b>
<b>TWC/2017/0330 Site of T A Jervis &amp; Co. Ltd &amp; land adjacent, Holywell Lane, Lightmoor, Telford, Shropshire</b> Demolition of existing commercial buildings/remediation of haulage yard and outline application for residential development of up to 17no. dwellings, including means of access with all other matters reserved .....	<b>22</b>

**PLANNING COMMITTEE**  
**LIST OF BACKGROUND PAPERS**

The Background Papers taken into account when considering planning applications on this list include all or some of the following items. Items 1 to 4 are included on the file for each individual application.

1. Application: includes the application form, certificate under Section 65 of the Town and Country Planning Act, 1990, plans, and any further supporting information submitted with the application.
2. Further correspondence with applicant: includes any amendments to the application – including any letters to the applicant/agent with respect to the application and any further correspondence submitted by the applicant/agent, together with any revised details and/or plans.
3. Letters from Statutory Bodies: includes any relevant letters to and from the Parish Councils, Departments of Telford & Wrekin Council, Water Authorities and other public bodies and societies.
4. Letters from Private Individuals: includes any relevant letters to and from members of the public with respect to the application, unless the writers have asked that their views are not reported publicly.
5. Statutory Plans and Informal Policy Documents: some or all of the following documents will comprise general background papers taken into account in considering planning applications in the administrative area of Telford and Wrekin (“Telford and Wrekin”)
  - a) Telford & Wrekin Local Plan 2011-2031 (adopted 11<sup>th</sup> January 2018) including any Neighbourhood Plans
  - b) Telford and Wrekin Supplementary Planning Documents:
    - Design for Community Safety SPD (adopted June 2008);
    - Telecommunications Development SPD (adopted May 2009); and
    - Shop Fronts, Signage and Design Guidance in Conservation Areas SPD (adopted April 2012)
  - c) Government Planning Guidance – National Planning Policy Framework (NPPF), Planning Practice Guidance and Circulars
  - d) Town and Country Planning legislation, case law and other planning decisions and articles
6. Past decision notices and reports referred to in specific reports.
7. The following additional documents (if appropriate):-

TWC/2016/0589

Land to the rear of 40-42 St Marys Street, Newport, Shropshire  
Erection of 9no. dwellings and 3no. flats with associated access and parking, following  
demolition of existing industrial/warehouse buildings (Full Planning) \*\*\*AMENDED PLANS  
RECEIVED\*\*\*

**APPLICANT**

A.F. Tyler

**RECEIVED**

07/07/2016

**PARISH**

Newport

**WARD**

Newport North and West

**OFFICER** Matthew Thomas

**THIS APPLICATION IS BEFORE THE PLANNING COMMITTEE AS IT IS SUBJECT TO A  
S106 LEGAL AGREEMENT TO SECURE PROVISION OF AFFORDABLE HOUSING AND  
FINANCIAL CONTRIBUTIONS TOWARDS EDUCATION AND RECREATION**

**1.0 THE PROPOSAL**

- 1.1 This full planning application seeks permission for the erection of 9no. dwellings and 3no. flats together with associated access and parking following the demolition of the existing industrial/warehouse buildings on land to the rear of No's 40-42 St Mary's Street in Newport. Permission has previously been established for the proposals described below through the granting of planning permission in February 2013 and a separate Listed Building application was approved in August 2016.
- 1.2 Amended plans have been submitted during the course of the application relating to external designs and provision of a public footpath linking St Mary's Street with Water Lane. The proposed development comprises the erection of three groups of terraced houses, each providing 3 bedrooms over three floors. Three 2 bedroom apartments will also be provided and set over three floors. Access will be taken from Water Lane to the north and a central car parking court will provide 22no. car parking spaces. Vehicular access off St Mary's Street will be retained and parking provided to the rear of the existing shop for use by customers.
- 1.3 The application is supported by a suite of drawings and the following supporting documentation:
- Design & Access Statement
  - Heritage Impact Assessment
  - Bat Scoping Survey Report
  - Archaeological Report and Watching Brief
  - Ground Investigation Report

**2.0 SITE AND SURROUNDINGS**

- 2.1 The application site forms part of the curtilage associated with No's 40-42 St Mary's Street in Newport. The buildings fronting St Mary's Street are Grade II Listed and the site extends back from St Mary's Street on to Water Lane with a fall of approximately 4m across the main development area towards Water Lane. The application site, measuring 0.25 hectare, is accessed off Water Lane, opposite the 'Victoria Park' and located within the Newport Conservation Area.

- 2.2 The site contains large, utilitarian warehouse/industrial buildings which are surrounded mainly by concrete hardstanding enclosed by chain-link perimeter fencing. There are no trees within the site, which has a hard, urban appearance dominated by the large scale buildings and the concrete frontage parking and loading area and access driveway off Water Lane.
- 2.3 'Tylers' store occupies the ground floor of a double front Listed Building in St. Mary's Street with flats above. The original Georgian building on the frontage has been previously extended to provide three storey accommodation which reduces to a single storey storage building further in to the plot. The former 'Royal Victoria Hotel' (Grade II Listed) is located immediately to the west of the site and is currently being redeveloped. To the east there is a parcel of disused land and building and further detached houses set back from Water Lane. Opposite the application site is the Victoria Park and associated car parking which has been upgraded in recent years to provide an attractive green feature and public realm and valuable recreation facility with paths.
- 2.4 The site is centrally located within the Town Centre where there is a good range of services and facilities including bus stations, shops, primary and secondary schools, employment area, restaurants and pubs.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 W2006/1456 – Erection of 13no. town houses with associated car parking and amenity space – Full Refused (05/03/2007)
- 3.2 TWC/2012/0916 – Demolition of existing industrial/warehouse and other associated storage buildings and erection of 12no. dwellings (9no. houses and 3no. flats) with associated vehicular and pedestrian access and parking  
Full Granted (20/02/2013)
- 3.3 TWC/2012/0917 – Demolition of existing industrial/warehouse and other associated storage buildings – Conservation Area Granted (21/02/2013)
- 3.4 TWC/2016/0586 – Erection of 9no. dwellings and 3no. flats with associated access and parking following demolition of existing industrial warehouse/buildings – Listed Building Consent Granted 25/08/2016

### **4.0 PLANNING POLICY CONTEXT**

- 4.1 National Planning Guidance:  
National Planning Policy Framework
- 4.2 Telford and Wrekin Local Plan (2011-2031)
- SP2 Newport
  - SP4 Presumption in favour of sustainable development
  - HO1 Housing requirement
  - HO4 Housing mix
  - HO5 Affordable housing thresholds and percentages
  - HO6 Delivery of affordable housing
  - NE4 Provision of public open space
  - NE5 Management and maintenance of public open space
  - COM1 Community facilities
  - C3 Impact of development on highways
  - C5 Design of parking

BE1 Design Criteria  
BE5 Conservation Areas

## 5.0 SUMMARY OF CONSULTATION RESPONSES

### Standard consultation responses

#### 5.1 Newport Town Council: Support subject to conditions

- Support this application which will form a progressive improvement on this brownfield site, taking away the harshness of the unused large scale industrial buildings and providing a positive effect on the nearby Conservation Area
- Provision of a public pedestrian path to link between St. Mary Street and Water Lane, is welcomed as a helpful improvement for accessibility into the main shopping area of town. Members would wish it to be rendered safe in terms of lighting, and possibly consideration of litter bin provision
- Support conditions suggested by Highways to address the issues of visibility and traffic calming to guarantee highway safety.

Following submission of amended plans comments are awaited from the Town Council, Members will be updated.

#### 5.2 Highways: Support subject to conditions

- Details of off-site highway works
- Parking, loading, unloading & turning
- Visibility Splays (2.4m x 34m)
- Access drive bound material
- Informative – off-site highway works including proposed development access and requisite footway works will be secured via Legal Agreement with the LHA under S.278 Highways Act 1980

#### 5.3 Drainage: Support subject to conditions

- Scheme of foul and surface water drainage
- SUDS Management Plan

#### 5.4 Built Heritage Conservation: Comment

- The proposal does not entirely reflect the prevailing character of the area however it may be considered visually neutral. Following conditions required:
- Samples of all external materials and finishes
- Details of external services
- Section for new windows, doors, balconies and dormers
- Details of railing and walls to be agreed
- Landscaping details to that fronting the Conservation Area

Following submission of amended plans an objection has been submitted by the Council's Conservation Officer:

- The 3 storey forward projecting gable is not a feature of the established character and appearance of the Newport Conservation Area, whilst Water Lane itself is characterised by low two-storey terraces in a very simple vernacular form. The adjacent site (rear of Victoria Hotel) has permission for dwellings of comparable height to the historic terraces, and would be immediately adjacent within the Water Lane street scene.
- The additional gable projections on the Water Lane frontage would increase the visual height of the building above the established eaves line and add to what is

already quite a complex elevation and substantial roof volume for use in this location.

- To the flats range there is no objection to the amendment to add gables to the dormers or to the single projecting gable, which in this instance would be an improvement on the original flat roofed projection.

5.5 Archaeology: Comment

- No development until the developer has secured the implementation of a programme of archaeological work in accordance with the Written Scheme of Investigation (WSI) submitted by 'Castlering Archaeology' (June 2016)

5.6 Ecology: Support subject to conditions

- Erection of artificial nesting/roosting boxes
- External lighting plan
- Informative – nesting wild birds

5.7 Parks & Open Spaces – Object subject to conditions.

- Some of the proposed housing encroaches the recommended 20m buffer zone of the adjacent children's play area in Victoria Park. Conditions should therefore be included relating to strengthening soundproofing of the properties and contributions of £600 per dwelling towards children's play provision in Victoria Park. Long term management plan also required

5.8 Education: Comment

- Following contributions to be sought:  
Primary education contribution of £25,327 towards Newport Infant school  
Secondary education contribution of £15,953 towards Burton Borough.

5.9 West Mercia Police: Comment – condition Secure by Design

5.10 Shropshire Fire Service: Comment – include Fire Authority informative

Neighbour consultation responses

- 5.11 This application has been advertised through a site notice and press notice together with 12 direct neighbour consultation letters. As a result of this consultation, no responses have been received.

## **6.0 PLANNING CONSIDERATIONS**

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

- Principle of development
- Impact on the character and appearance of the area
- Impact on the living conditions of neighbouring properties
- Highway considerations
- Affordable Housing/Developer Contributions

Principle of development

- 6.2 The principle of the redevelopment of this site for residential use has previously been established through the granting of full planning permission in February 2013. This

current application has been subject to some amendments including revisions to the design of the new houses and apartments, the reinstatement of a public footpath link between St Mary's Street and Water Lane and some minor amendments to site layout. Separate listed building consent has previously been granted in August 2016. When the original consent was approved, no provision was made for any affordable housing on site or any financial contributions. This current application, however, proposes contributions towards recreation and education together with a 35% level of affordable housing.

- 6.3 Policy SP2 of the Telford & Wrekin Local Plan (TWLP) states that development in Newport will be expected to support its role as a Market Town and the plan supports the delivery of approximately 1330 new homes in Newport up to 2031. Meanwhile, policy SP4 of the plan indicates that there will be a presumption in favour of sustainable development.
- 6.4 This is a brownfield site located within a highly sustainable area, within the centre of Newport where there is an array of shops, employment opportunities, public services and facilities as well as transport connectivity. The National Planning Policy Framework (NPPF) advises that there will be a presumption in favour of sustainable development. Policy SP2 of the Telford & Wrekin Local Plan (TWLP) states that development in Newport will be expected to support its role as a Market Town and the plan supports the delivery of approximately 1330 new homes in Newport up to 2031. Meanwhile, policy SP4 of the plan indicates that there will be a presumption in favour of sustainable development. Subject to the consideration of these issues, the principle of development remains acceptable on this site.

#### Impact on the character and appearance of the area

- 6.5 Listed Building consent was granted in August 2016 (permission reference TWC/2016/0586) for the demolition of the group of disused 1960's red brick industrial warehouses and other associated storage buildings which extend off and form part of the curtilage with No's 40-42 St Mary's Street (Grade II Listed) to allow the redevelopment of the site which included a footpath link from St Mary's Street to Water Lane. The proposed development was considered to be acceptable in terms of its scale, design and appearance as it was considered that there would be no significant impact on the character, setting and appearance of the Grade II Listed Building or the Newport Conservation Area.
- 6.6 The application site is prominently located within the Newport Conservation Area where the Council has a duty to preserve or enhance its character and appearance. The site also sits near to other listed buildings, including the Royal Victoria Hotel and the St Nicholas Church. Policy BE5 seeks to avoid development in Conservation Areas where it would prejudice the essential features of the conservation area, the relationship or appearance between buildings, the arrangement of open areas and their enclosure or significant natural or heritage features. The proposal will see the redevelopment of a relatively large piece of land which has been left unused for a number of years. Parts of the Water Lane have become untidy and in need of redevelopment and therefore the proposed development will assist in enhancing the character and appearance of this part of the Conservation Area. This in turn will enhance the setting of the recently refurbished Victoria Park and Canal, positively influencing Newport.
- 6.7 Officers note the consultation response received by the Council's Conservation Officer following receipt of amended plans. Concerns have been raised regarding the 3 storey forward projecting gable which is considered to be out of keeping with

the surrounding area. However, the previously approved design was relatively contemporary and unique to Water Lane and so officers do not consider the amendments to be too significant in terms of the likely impact on the character and appearance of Water Lane. Whilst the eaves height of the new dwellings have been raised which in turn may increase the visual height of the building above the established eaves line, the ridge height of the proposed dwellings will be slightly lower than the ridge height of the previous approval (9.8m instead of 10m). Therefore, on balance, the proposed development is considered to be compliant with local policies relating to design and heritage assets.

- 6.8 On balance, officers consider the current scheme to be acceptable and the essential form, character and special interest of the listed building will be maintained together with its setting within the Newport Conservation Area. In addition, its redevelopment will assist in bringing back a disused and neglected site back in to an active use, positively contributing towards the character and appearance of the Conservation Area whilst delivering much needed new homes within the heart of Newport's town centre. In the interests of future amenity, it is considered appropriate to remove permitted development rights as part of the approval.

#### Impact on the living conditions of neighbouring properties

- 6.9 Historically this part of Newport between the High Street/St Mary's Street and Water Lane, has been a mix of both residential and commercial/light industrial. However many of these sites are now vacant, redundant and some have changed to being predominantly residential. This has increased over recent years with the change of use of buildings like the old sorting office in to student accommodation. These neighbouring properties, however, are located fronting the High Street/St Mary's Street and do not extend in to the burgage plots and down to Water Lane and so the overall impact on the living conditions of neighbouring properties are not of real concern.
- 6.10 To the west of the site are the boundaries to the former 'Royal Victoria Hotel' where planning permission has recently been granted for the development of the car park to the rear and conversion of the hotel to apartments. Whilst ground works have taken place, the building works are yet to commence. To the east is a parcel of disused land, formerly used for car sales but has since become neglected and overgrown.
- 6.11 To the north is the Water Lane and Victoria Park and car park and to the south is St Mary's Street and the St Nicholas Church and grounds. Therefore, whilst the proposed development will bring about significant change to this part of Water Lane, there are no residential buildings within the immediate area which would be adversely affected by any undue overlooking or loss of privacy given the acceptable separation distances involved. The Local Planning Authority is also satisfied, on balance, with the separation distances between the new dwellings themselves and given its town centre location is satisfied that the development will provide future occupants with a good standard of living with small garden areas and private parking. To this end, the scheme is compliant with local planning policies.

#### Highway considerations

- 6.12 There is an existing access to the north-west corner of the site providing vehicular access directly off the Water Lane. It is proposed to close this access off and to provide a new one to the centre of the site, further down Water Lane. A visibility splay of 2.4m x 34m is achievable however this falls slightly short of the required splay of 2.4m x 43m and therefore some form of traffic calming is required along the

Water Lane. Two pedestrian crossing features are proposed either side of the development access. The first raised pedestrian crossing feature, which would be located between the entrance to the pedestrian route that runs alongside the development (linking in to St Mary's Street) and the main entrance into the Victoria Park, will incorporate a Zebra Crossing. The second raised pedestrian crossing feature, which will be located directly opposite the entrance to the Victoria Park play area, will incorporate an informal tactile crossing. These features will be provided by the developer and secured via a legal agreement with the Local Highways Authority under S.278 Highways Act 1980.

- 6.13 The proposed parking court located to the rear of plots 1-6 will provide 22 car parking spaces (including 2 disabled) which exceeds the level of off-road parking required by the parking standards of the Telford & Wrekin Local Plan, where a minimum of 18 spaces is required. The Local Highways Authority has been consulted and no objections were raised subject to conditions relating to off-site highway details, provision of visibility splays and parking together with the securement of the traffic calming measures as detailed above. On this basis, officers are satisfied that the development will not prejudice vehicular or pedestrian safety.

#### Affordable Housing/Developer Contributions

- 6.14 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.
- 6.15 This is an application for 12 new dwellings, of which it is proposed that 4 (35%) will be affordable in accordance with policy HO5 of the TWLP. A Local Lettings Plan should also be agreed with the Local Planning Authority.
- 6.16 In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied along with T&WLP policies COM1, NE4 and NE5 to ensure that the application is treated on its own merits and that the obligation is:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development
- 6.17 In addition account has been taken of the changes to the CIL Regulations in April 2015 that now restrict the "pooling" of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that the requested contribution towards recreation and education would meet the above tests as well as local planning policy. The following contributions are to be provided by the developer and will be delivered through the applicant entering in to a S106 agreement with the Council:
- Education: Total contribution of £41,280 – comprising: £25,327 primary school contribution to be allocated towards the Newport Infant School – kitchen and associated enhancements and £15,953 secondary school contribution to be allocated towards the Burton Borough School – Music Block works.
  - Parks/Recreation: Total contribution of £7,200 towards making improvements to/maximising facilities within the adjacent Victoria Park.

## 7.0 CONCLUSIONS

- 7.1 The principle of the redevelopment of this site for residential use has previously been established through the granting of full planning permission in February 2013. The site is sustainably located within the heart of Newport town centre and the proposal will see the development of a vacant, brownfield site in a prominent position in the Conservation Area together with an increase in the Borough's housing supply. The scheme will deliver a variety of open market and socially rented dwellings within a town centre location with a mix of types to meet market trends and the needs of different groups in the community.
- 7.2 Consideration has been given to the impact the development will have on the Grade II listed building and its wider setting with the Newport Conservation Area. On balance the Local Planning Authority is satisfied that the development as a whole will positively influence the character and appearance of the area without adversely affecting the listed building. Amongst other issues, conditions will be imposed to the decision requiring all finishing materials to be agreed with the LPA to ensure there will be no harm to the historic fabric or architectural interest of the listed building and Conservation Area.
- 7.3 There will be no adverse impact on the living conditions of nearby neighbouring properties as a result of any undue overlooking, loss of privacy/light or any overbearing impacts. The separation distances between the new dwellings are acceptable to achieve a satisfactory standard of living in this town centre location. Drainage and landscaping of the site including boundary treatments will be dealt with at a later stage through conditions. Similarly, subject to conditions the Local Highways Authority is satisfied that there will be no adverse impact on highway safety as a result of the proposed development.
- 7.4 Together with the delivery of 4 affordable units (35%), financial contributions have been offered by the applicant including £41,280 towards local primary and secondary schools, £7,200 towards improvements at the Victoria Park as well as the traffic calming features along the Water Lane (to be secured via a S.278 agreement). Subject to the inclusion of the conditions listed below, the proposal is compliant with local planning policies as well as the guidance within the National Planning Policy Framework and it is hereby recommended for approval.

## 8.0 RECOMMENDATION

- 8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:
- A) The applicant/landowner entering in to a Section 106 Agreement with the Council (with indexation applicable to contributions from the date of committee resolution to grant full permission) for:
- Education: £25,327 primary school contribution to be allocated towards Newport Infant – kitchen and associated enhancement  
£15,953 secondary school contribution to be allocated towards the Burton Borough – Music Block works,
  - Recreation: £7200 towards making improvements to / maximising facilities within the adjacent Victoria Park,

- Affordable Housing: 4 affordable units (35%).

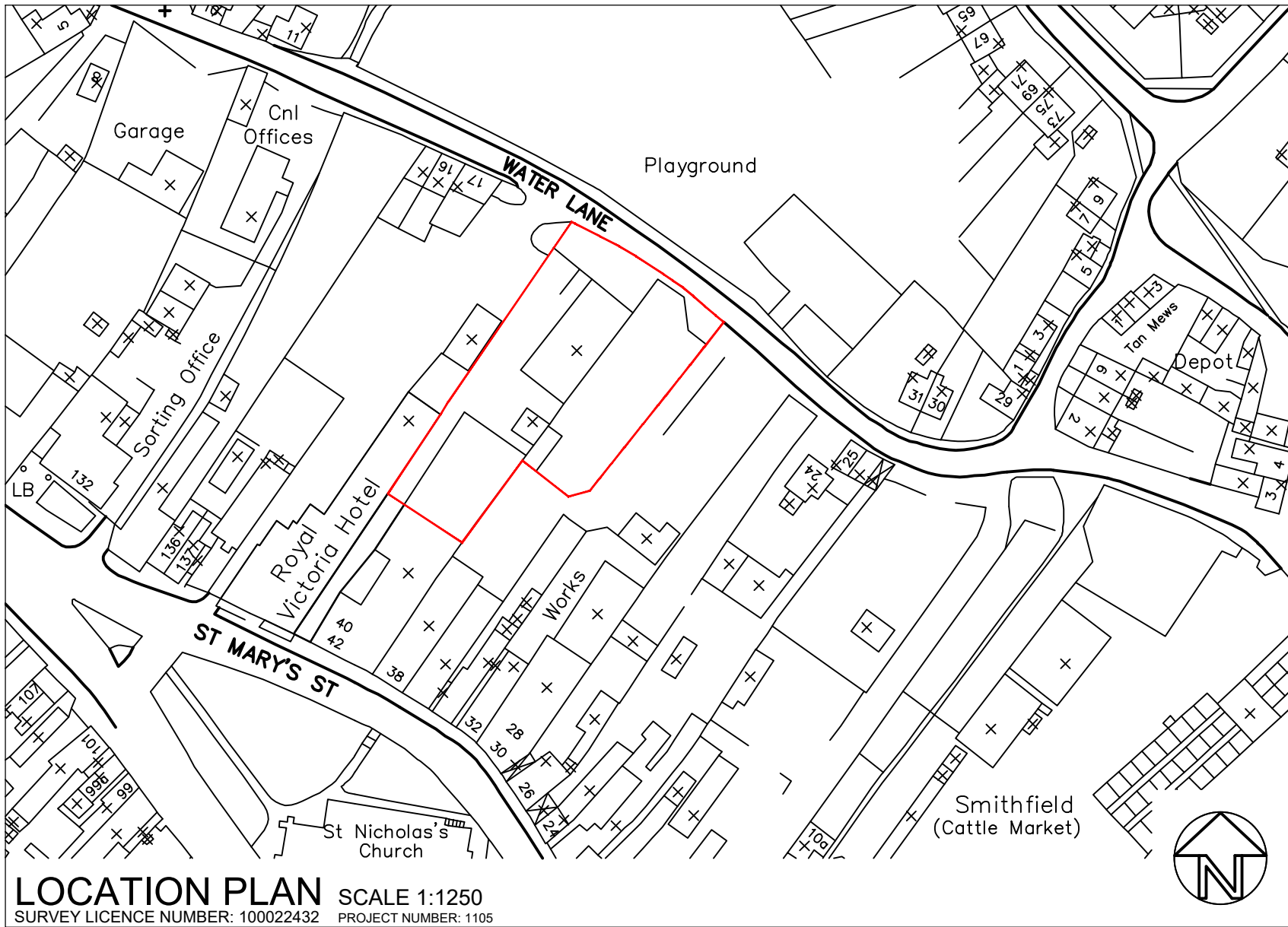
B) The following conditions (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):

#### Conditions

1. Time limit – Full with no reserved matters
2. Samples of all external materials and finishes
3. Sections for new windows, doors, balconies & dormers
4. Details of off-site highway works
5. Parking, loading, unloading & turning
6. Visibility Splays (2.4m x 34m)
7. Access drive bound material
8. Scheme for foul and surface water drainage
9. SUDS Management Plan
10. Details of external services
11. Landscaping Design
12. Long Term Management Plan
13. Site Environmental Management Plan
14. Archaeology – Written Scheme of Investigation
15. Details of enclosure/boundary treatments
16. Erection of artificial nesting/roosting boxes
17. External lighting plan
18. Development in accordance with submitted drawings
19. Local Lettings Plan
20. Removal of Permitted Development rights

#### Informatives

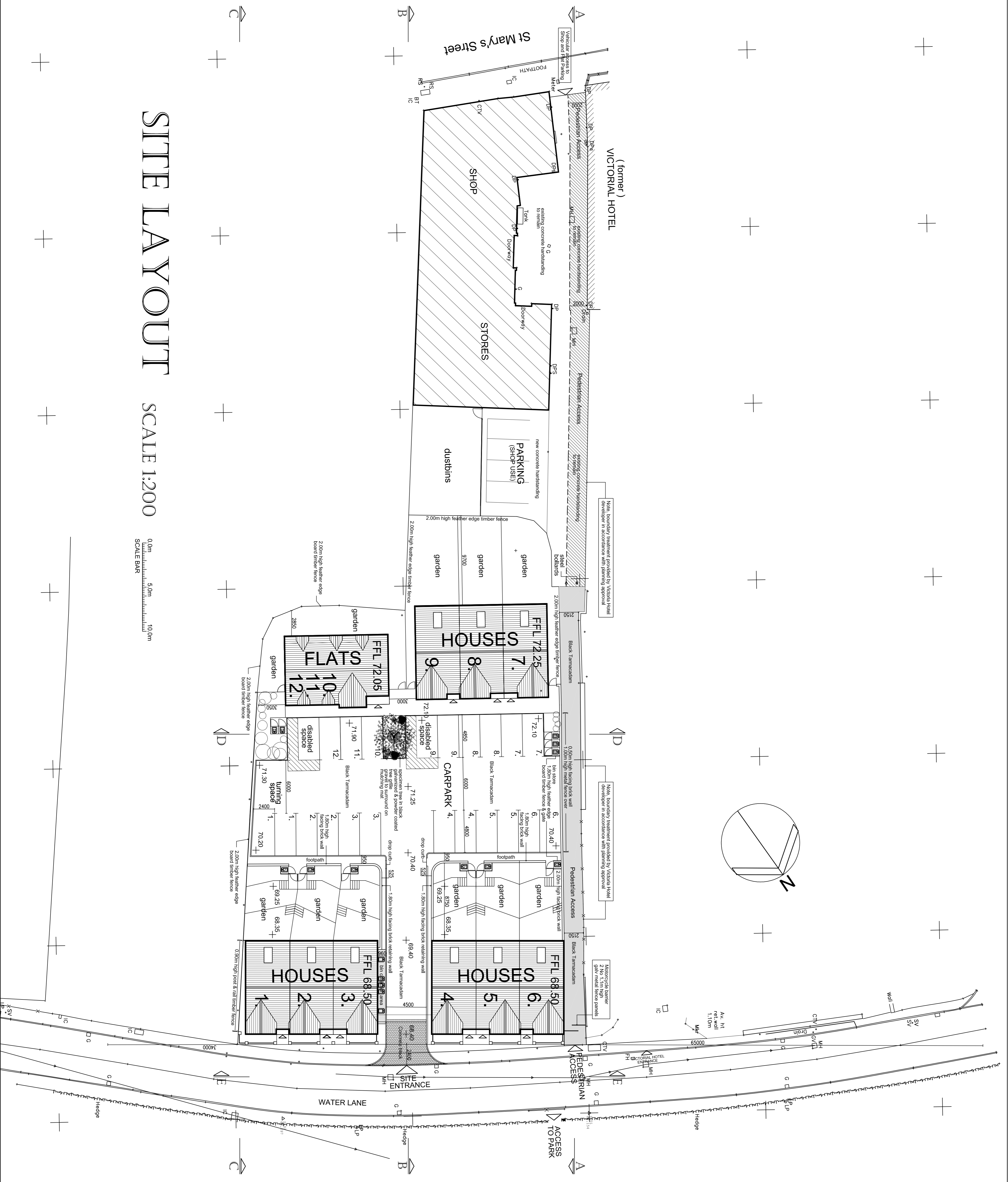
S106  
Highways  
Fire Authority  
Ecology



**LOCATION PLAN** SCALE 1:1250  
SURVEY LICENCE NUMBER: 100022432 PROJECT NUMBER: 1105

# SITE LAYOUT

SCALE 1:200



**Pedestrian Access**

- shaded to be purchased
- hatched areas to be leased by Town Council

NO.	DATE	BY	DESCRIPTION
D	2023.10	SEVEN DESIGN BUILD	Final Design
C	2023.09	SEVEN DESIGN BUILD	Preparation of Planning Application
B	2023.08	SEVEN DESIGN BUILD	Site Layout

**SEVEN DESIGN BUILD**  
 20 Belgrave Road  
 Worcester  
 WVR5 0AA  
 Tel: 01902 894617 Fax: 01773 810436 Email: BRINDLEY@SEVENDESIGNBUILD.COM

**CLIENT**  
 A.F. TYLER

**PROJECT**  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 WATER LANE (REAR 40 & 42 ST MARY'S ST)  
 NEWPORT  
 SHROPSHIRE

NO.	DATE	BY	DESCRIPTION
D	2023.10	SEVEN DESIGN BUILD	Final Design
C	2023.09	SEVEN DESIGN BUILD	Preparation of Planning Application
B	2023.08	SEVEN DESIGN BUILD	Site Layout

**CLIENT**  
 A.F. TYLER

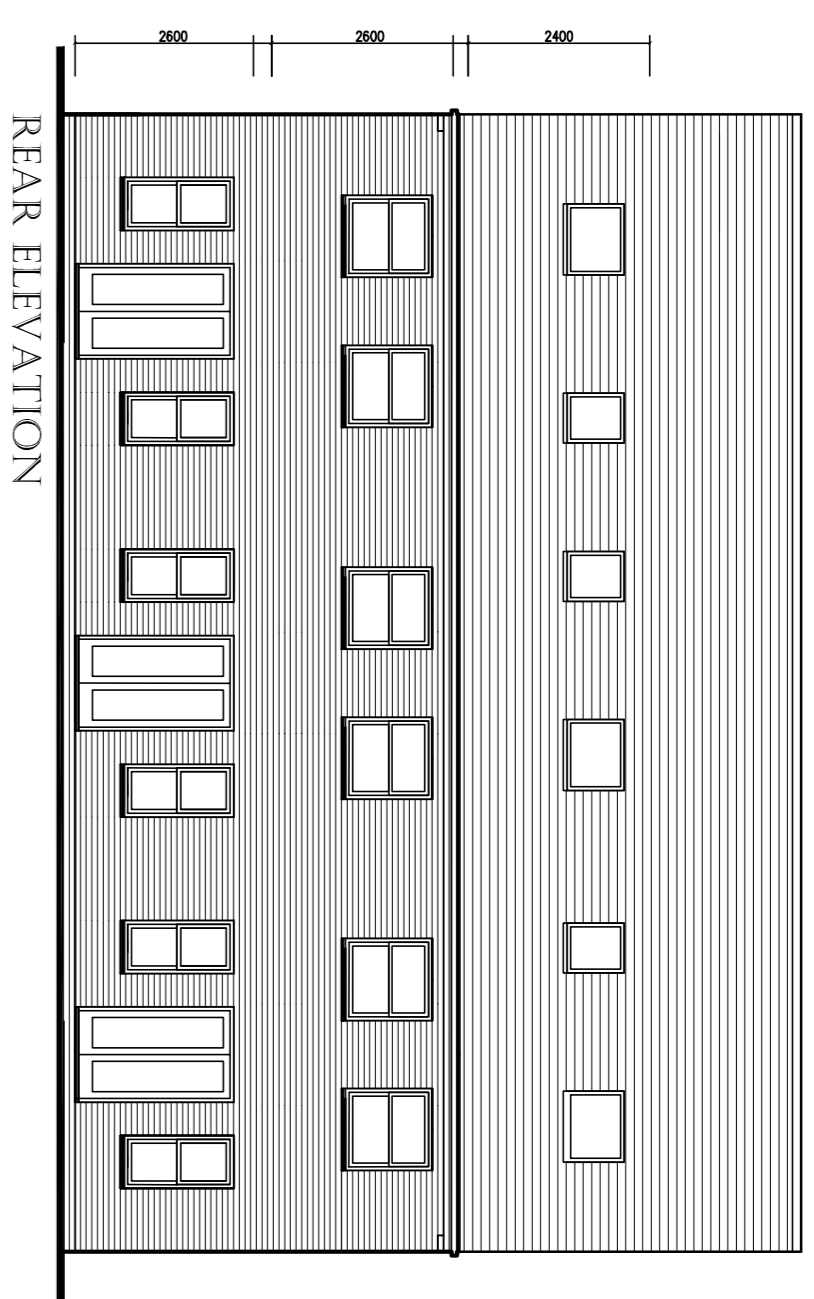
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 PROPOSED RESIDENTIAL DEVELOPMENT  
 WATER LANE (REAR 40 & 42 ST MARY'S ST)  
 NEWPORT  
 SHROPSHIRE

**SCALE**  
 1:100

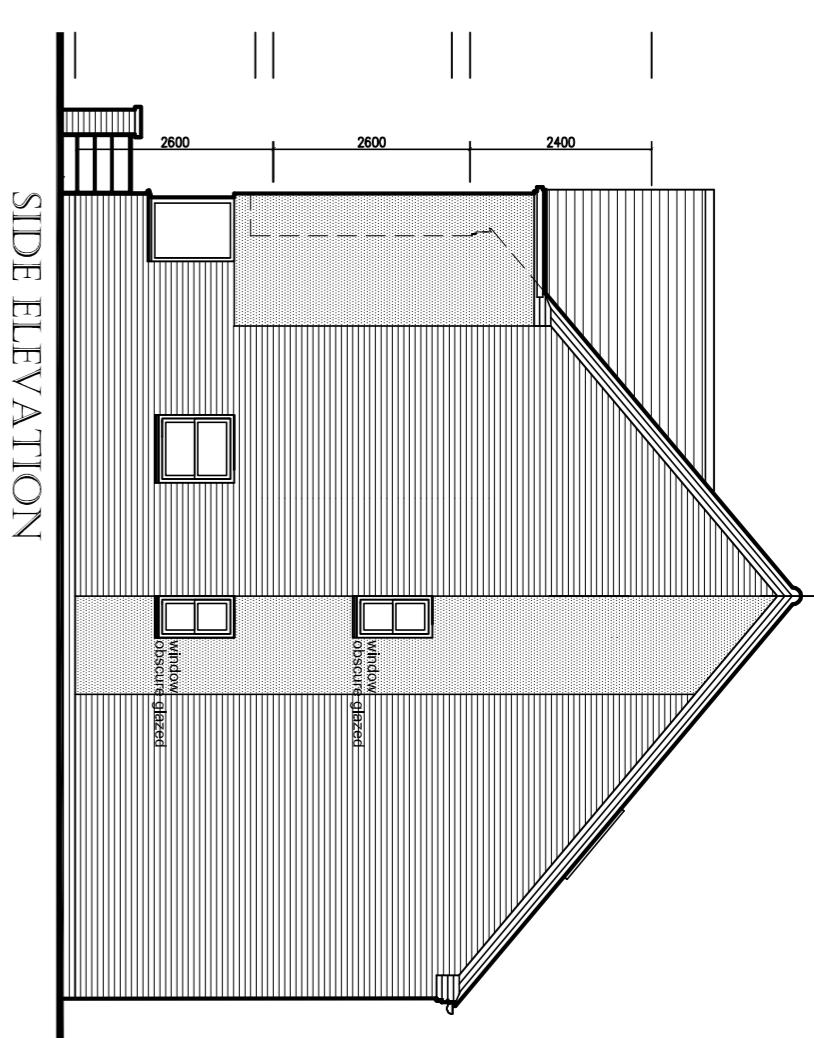
SCALE 1:100



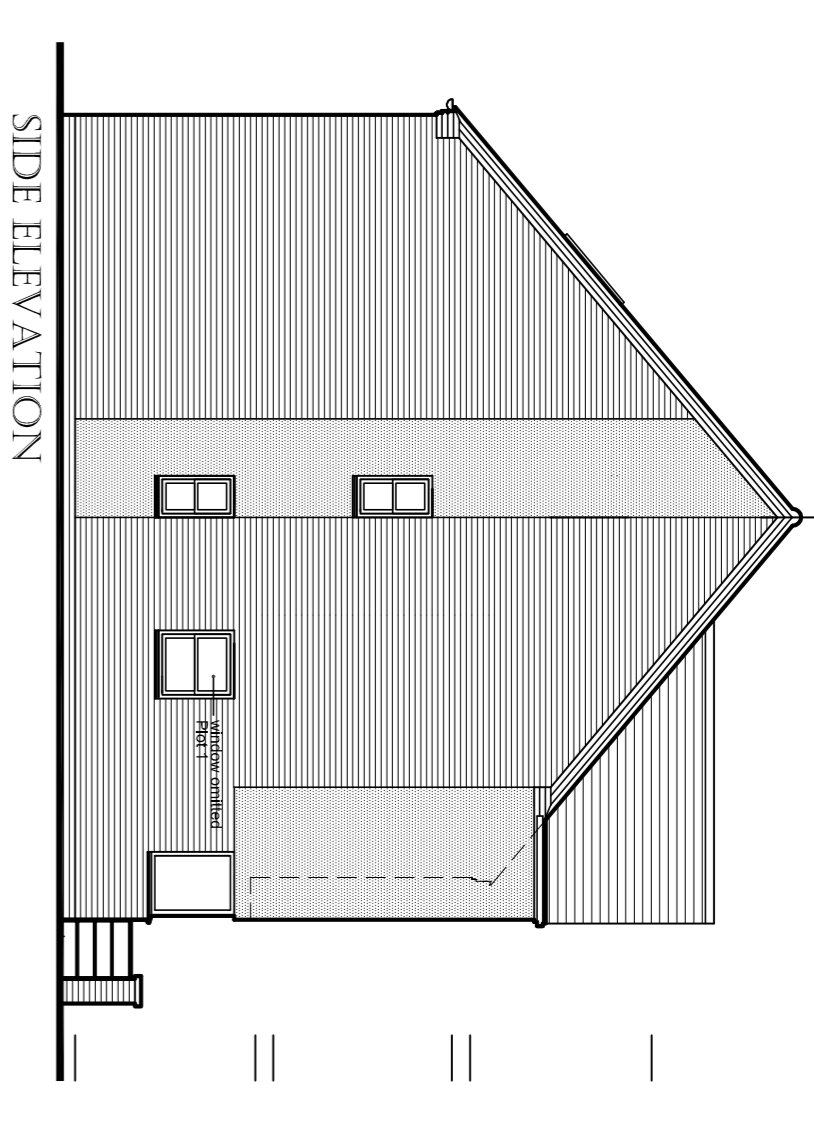
ELEVATION TO WATER LANE



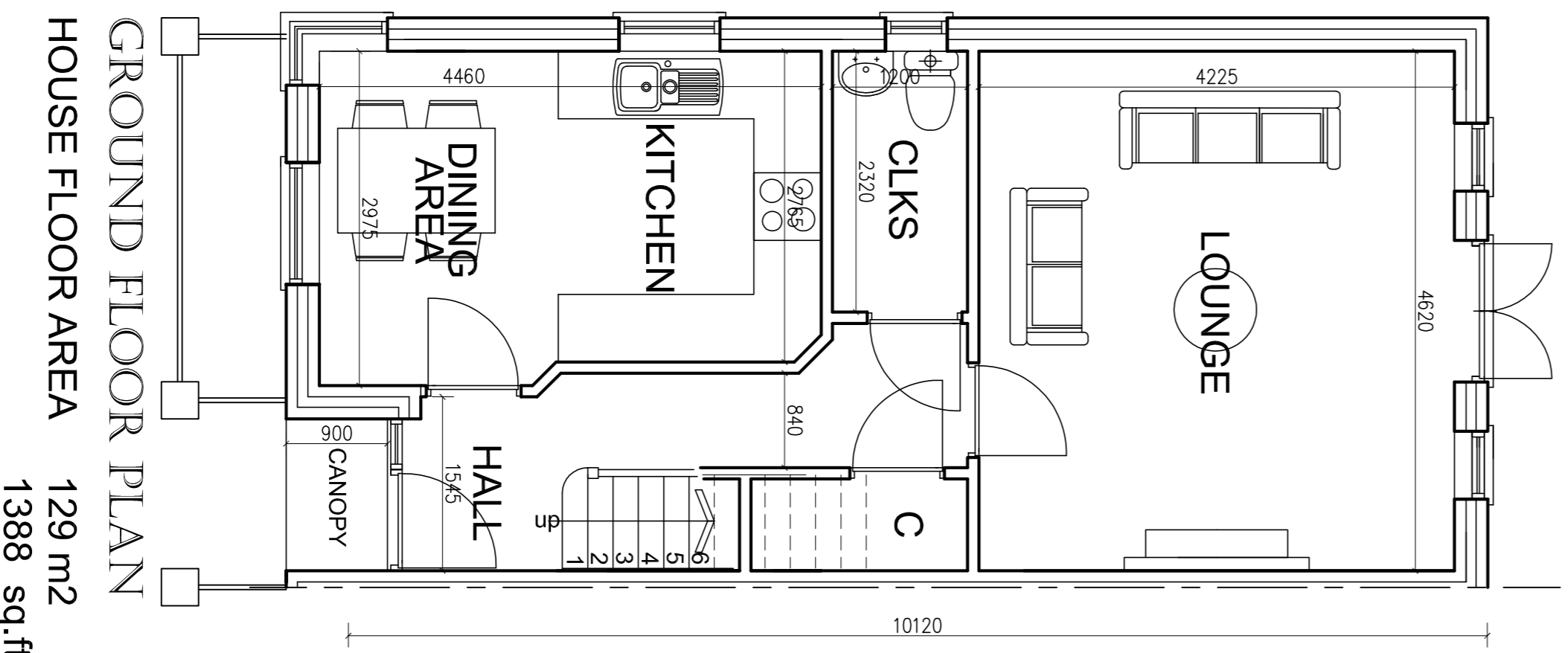
REAR ELEVATION



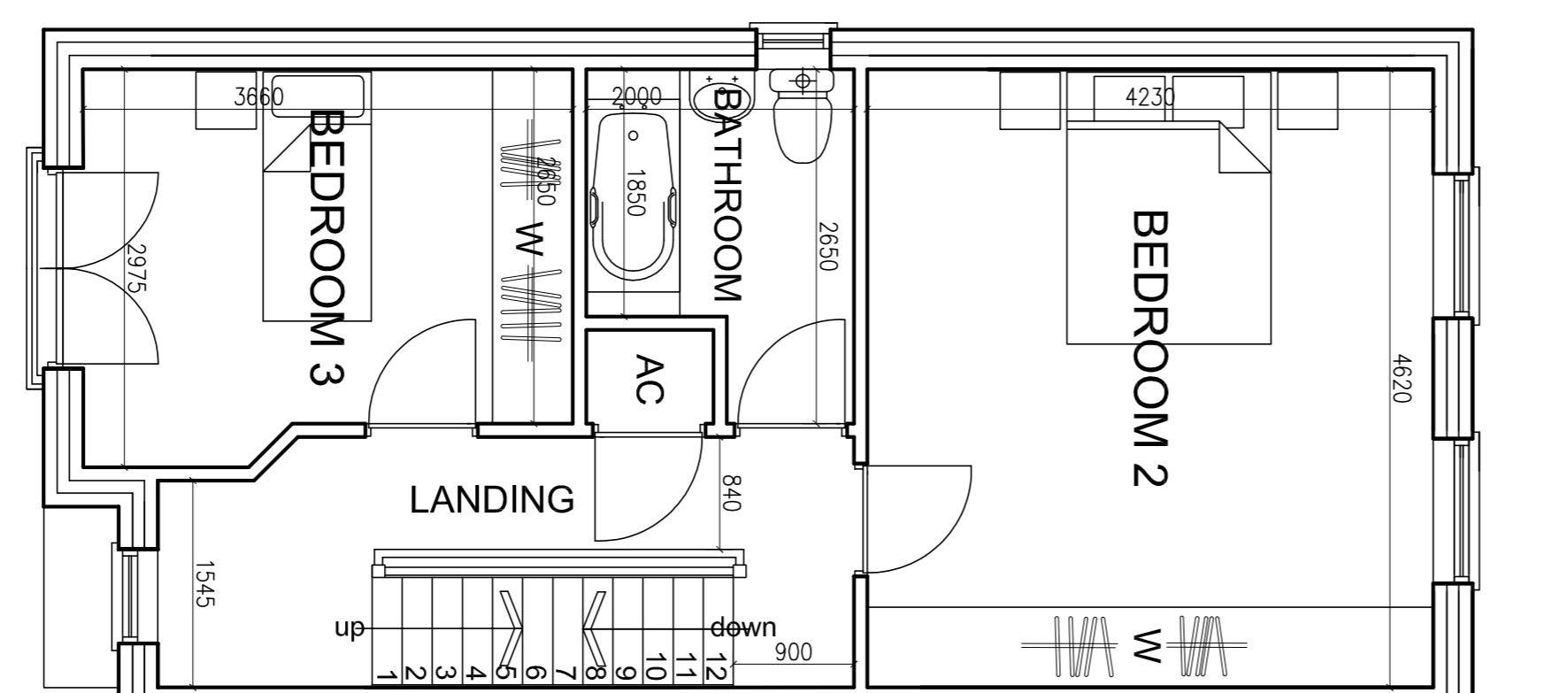
SIDE ELEVATION



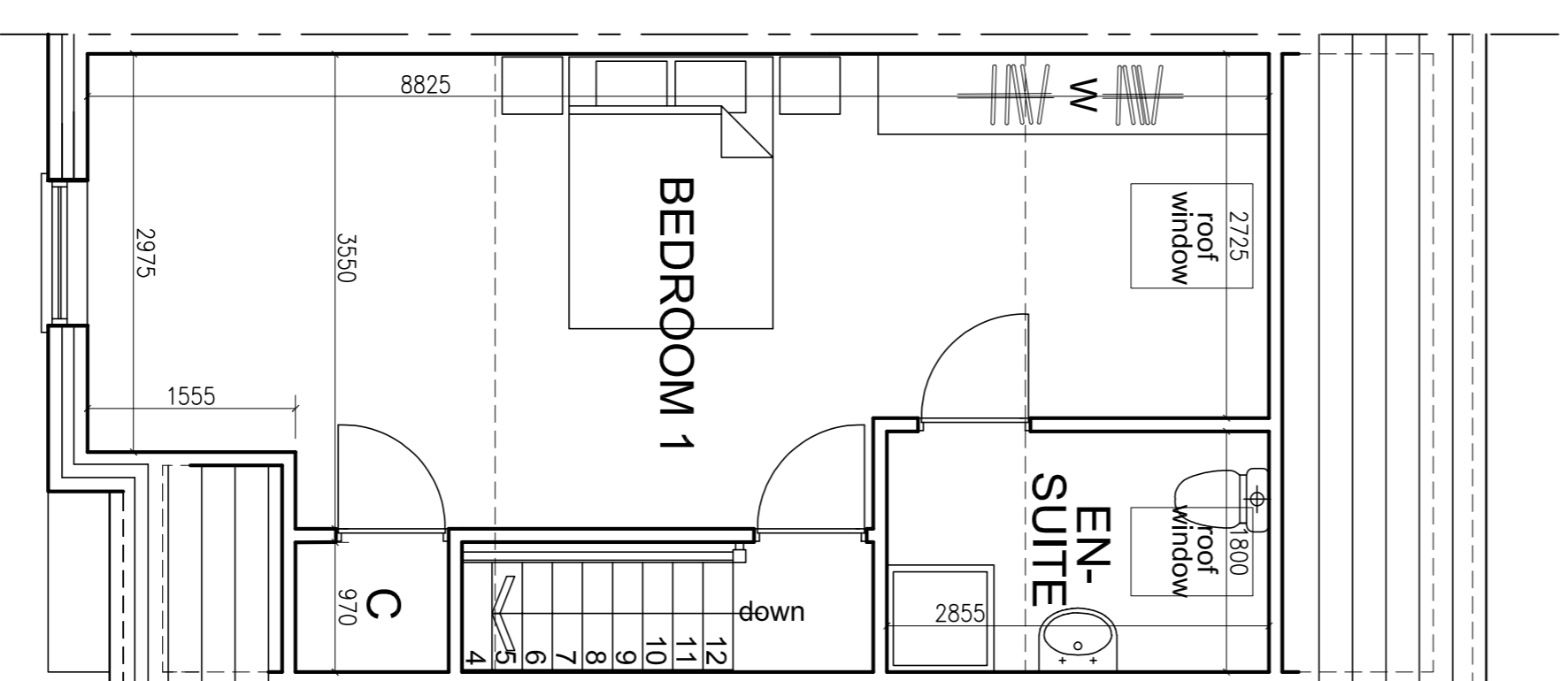
SIDE ELEVATION



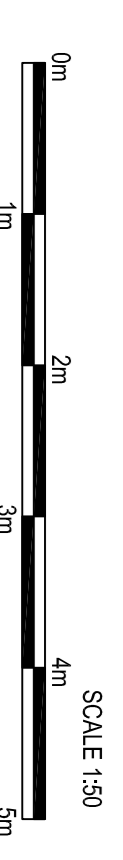
GROUND FLOOR PLAN  
HOUSE FLOOR AREA  
129 m<sup>2</sup>  
1388 sq.ft



FIRST FLOOR PLAN



SECOND FLOOR PLAN



SCALE 1:50

REV	DATE	BY	DESCRIPTION
A	10/11/20	AT	Final Plan

SEVEN DESIGN BUILD  
201 Belgrave Road  
Worcester  
WR1 1AA  
01902 80417 Fax: 01773 81348 Email: BR@SDHBUILD.COM

PROJECT  
PROPOSED RESIDENTIAL DEVELOPMENT  
WATERLANE  
SHROPSHIRE

CLIENT  
A.F. TYLER

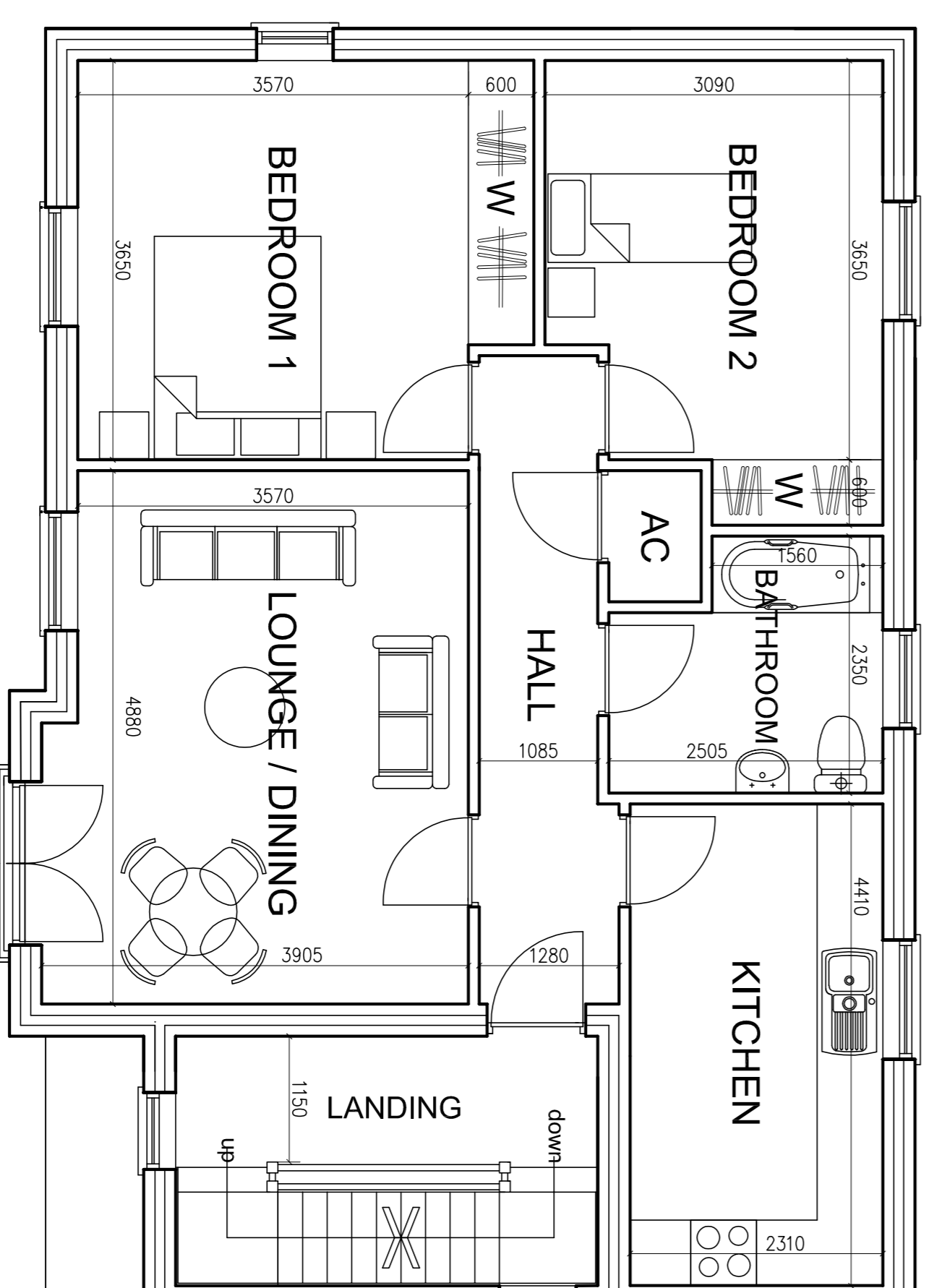
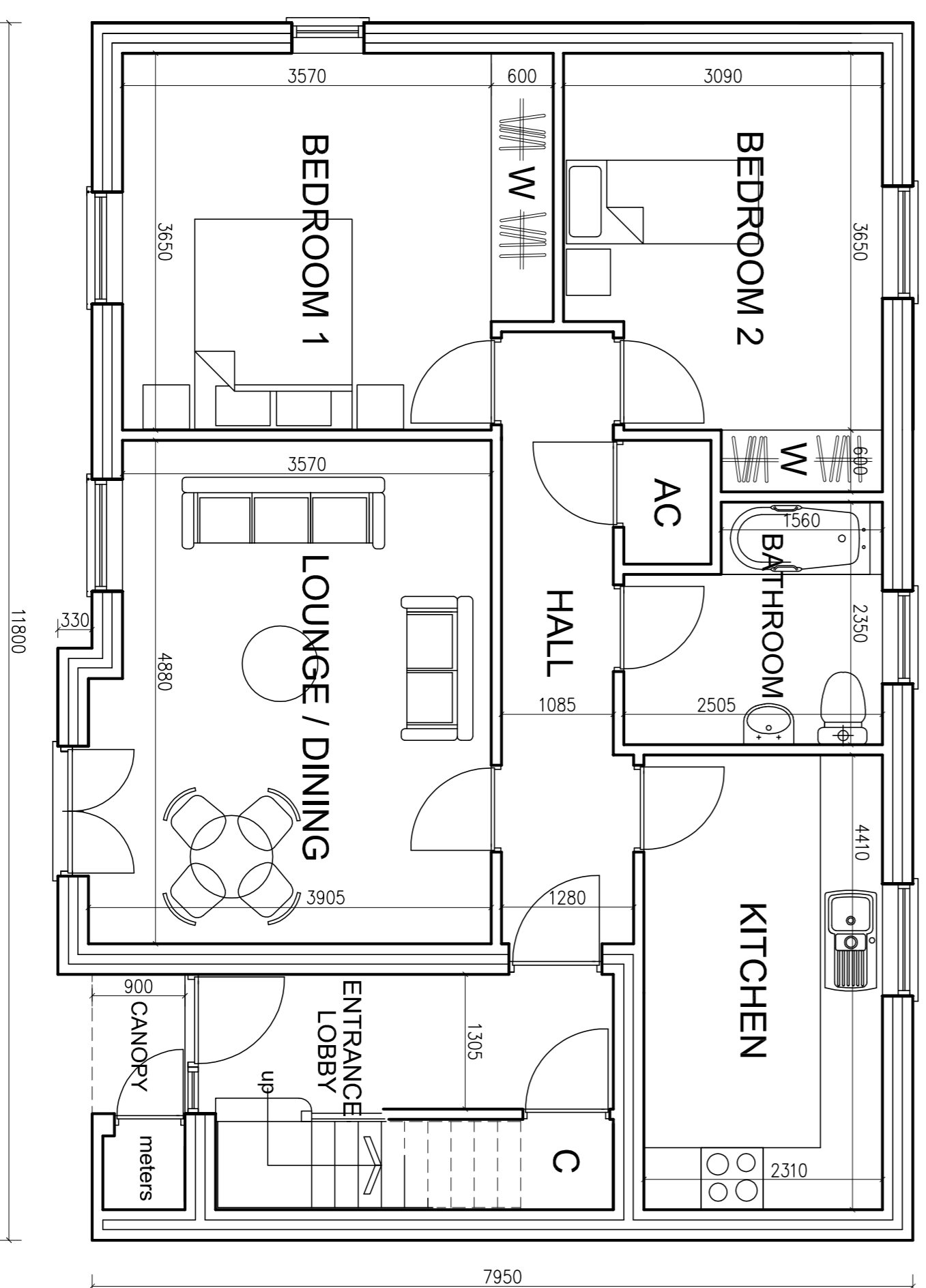
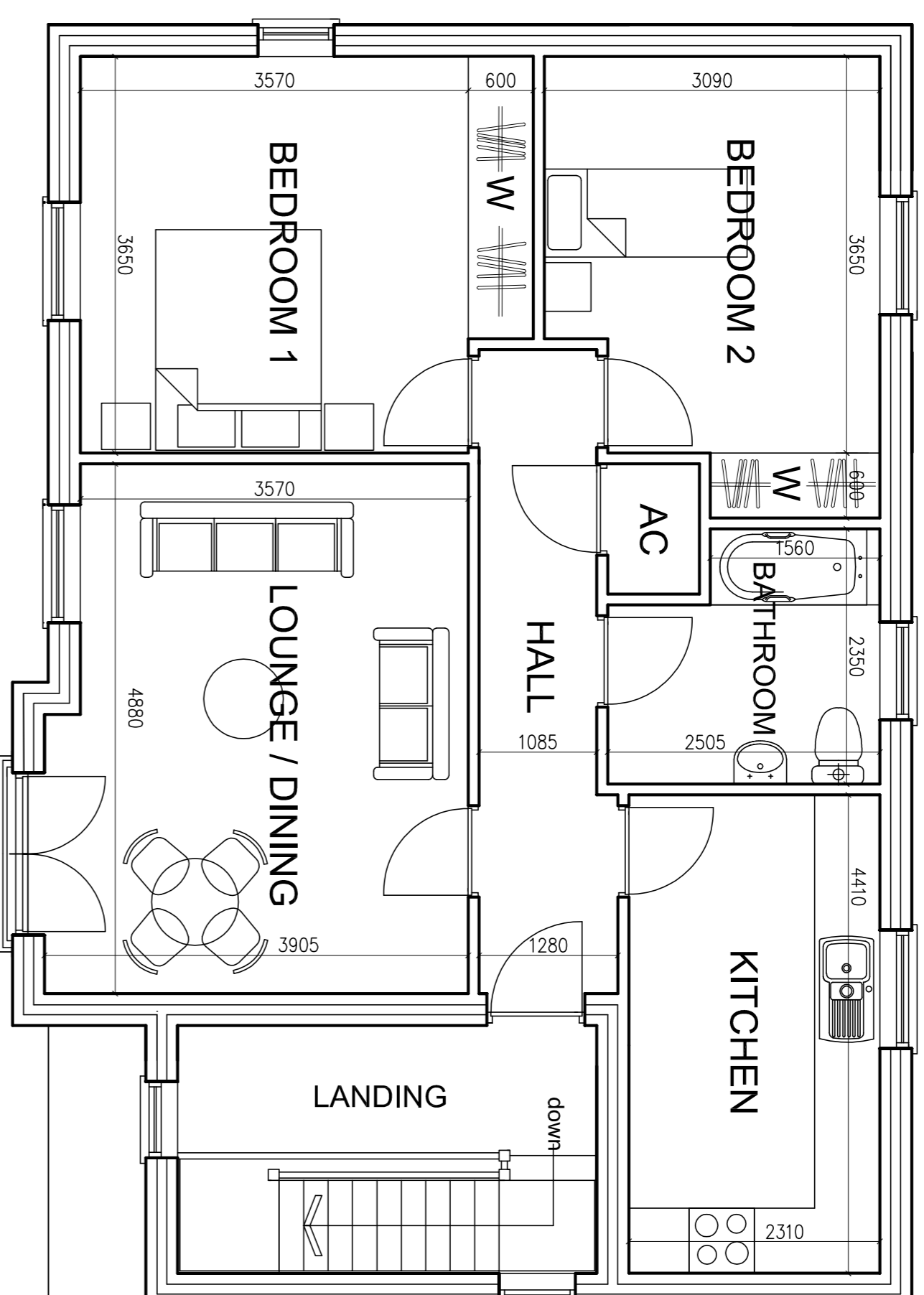
FORWARD

PLANNING DRAWING  
PLOTS 1-6 & 7-9 (FLOOR PLANS)

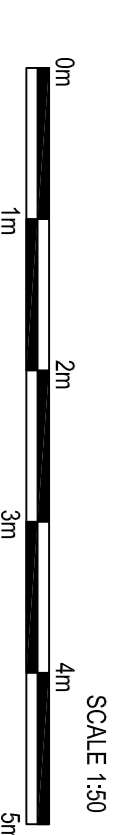
DRAWN	CHECKED	DATE	DATE
AT	AT	10/11/20	10/11/20

SCALE 1:50 A1

1105/P101-1



**FINISHES:**  
 ROOF: Plain clay or similar tiles, colour slate grey  
 WALLS: Red facing brickwork in natural sand cement mortar  
 White painted smooth sand cement render  
 Timber cladding (stained finish)  
 Window frames: Grey UPVC  
 Entrance door coloured composite door in UPVC frame  
 Entrance canopy stainless steel fascia (flat roof) concealed gutter  
 DORMERS: Lead finished cheeks, composite roof  
 JULIET BALCONY: stainless steel balustrade & glass panels



NO.	DATE	BY	REVISION
1	11/05/12	A.F. TYLER	ISSUED FOR PERMIT
2	11/05/12	A.F. TYLER	REVISED PER COMMENTS
3	11/05/12	A.F. TYLER	REVISED PER COMMENTS
4	11/05/12	A.F. TYLER	REVISED PER COMMENTS
5	11/05/12	A.F. TYLER	REVISED PER COMMENTS
6	11/05/12	A.F. TYLER	REVISED PER COMMENTS
7	11/05/12	A.F. TYLER	REVISED PER COMMENTS
8	11/05/12	A.F. TYLER	REVISED PER COMMENTS
9	11/05/12	A.F. TYLER	REVISED PER COMMENTS
10	11/05/12	A.F. TYLER	REVISED PER COMMENTS

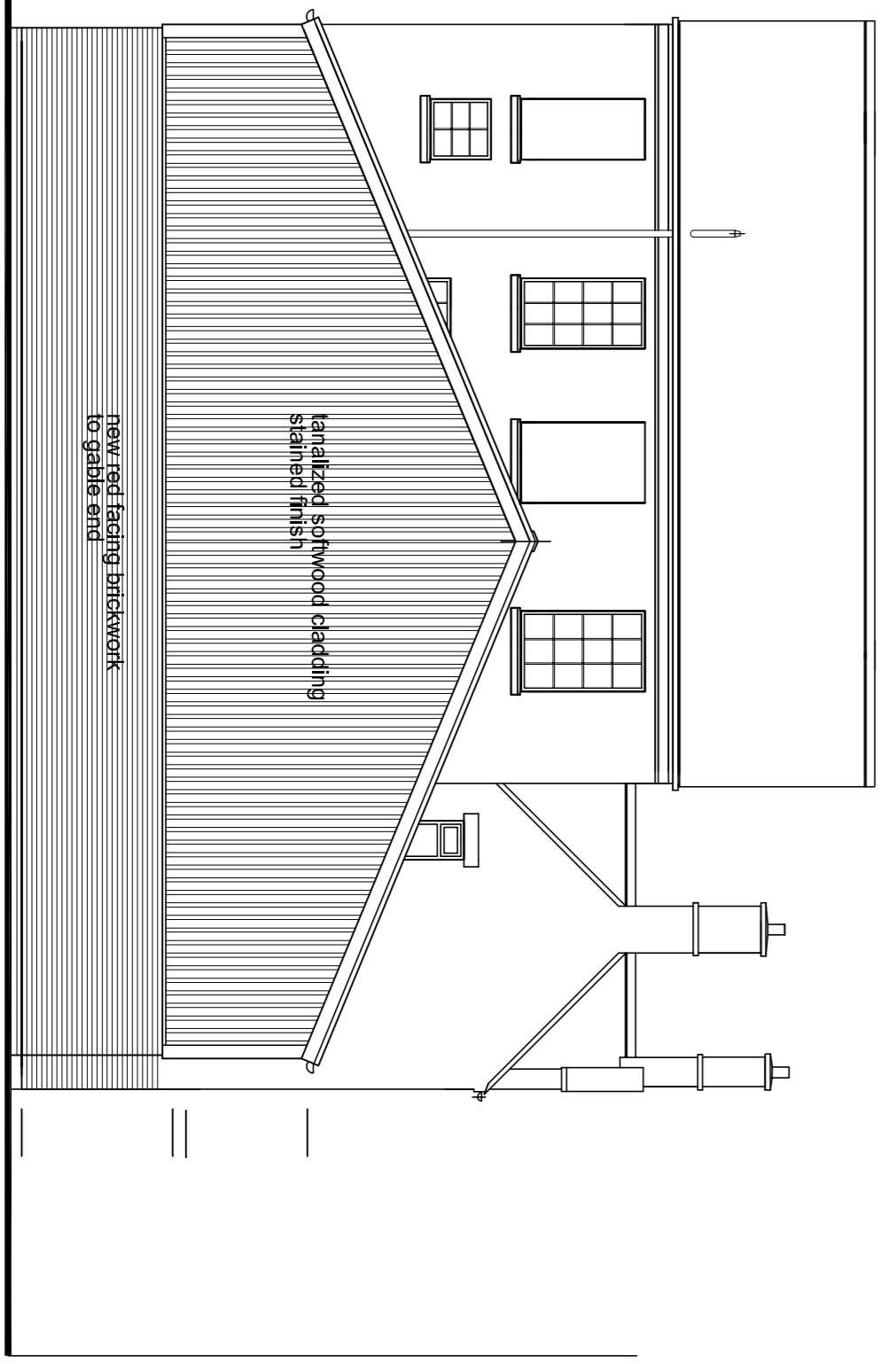
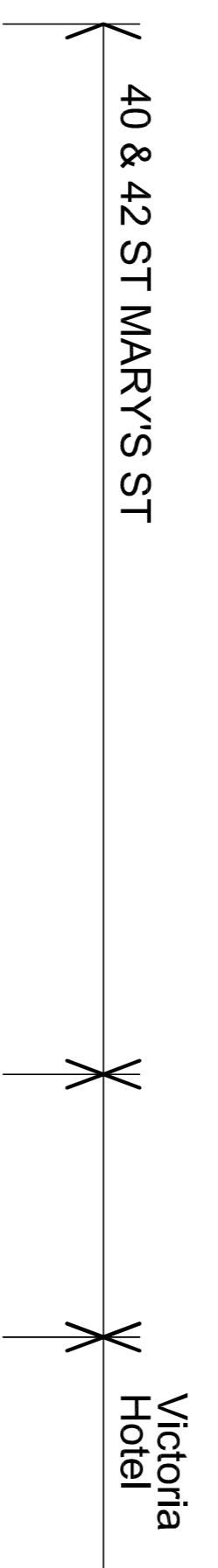
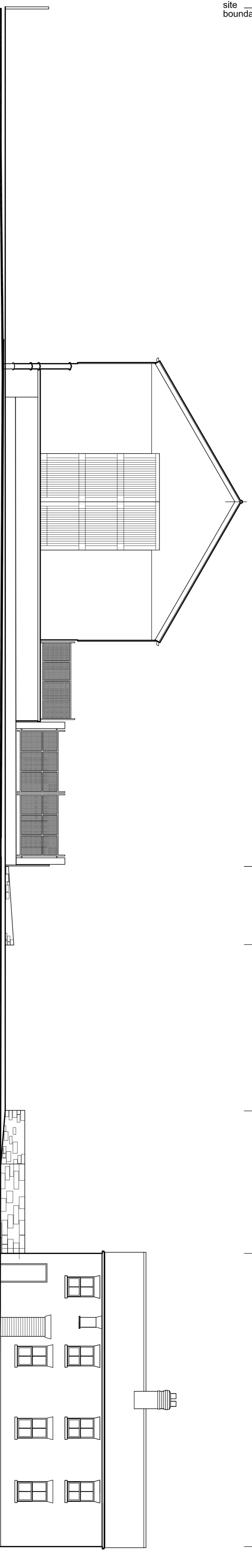
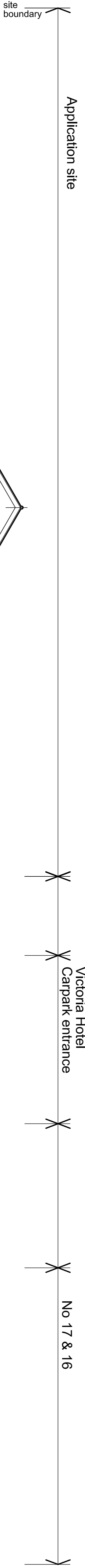
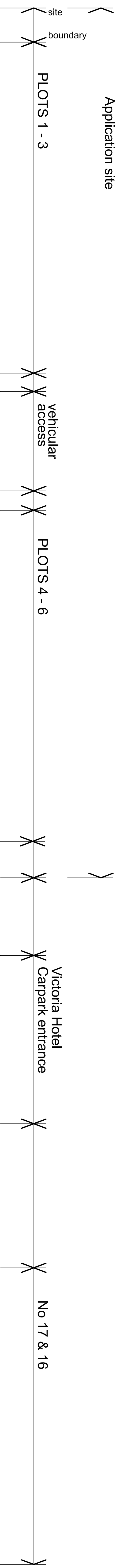
DRAWN: A.F. TYLER  
 CHECKED: A.F. TYLER  
 DATE: 11/05/12  
 SCALE: 1:50 A 1:100 B 1:200 C  
 DRAWING NO.: 1105/P102

**SEVEN DESIGN BUILD**  
 201 Wellington Road  
 Wellington  
 WY5 0AA  
 TEL: 01932 846171 FAX: 01773 813486 EMAIL: BRINDLETHOMES@SDBUILD.COM

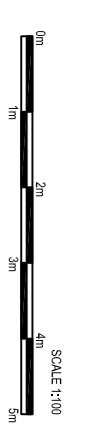
PROJECT:  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 WATERLANE  
 NEWPORT  
 SHROPSHIRE

CLIENT:  
 A.F. TYLER

DRAWING NO.: 1105/P102  
 SHEET NO.: B



B		25.2.19 Golden Jubilee to Water Lane elevation	
REV	DATE	BY	DESCRIPTION
A	12/11/19	RTK/1	PLANNING AMENDMENTS
<p><b>SEVEN DESIGN BUILD</b>          Architecture          20 Belgrave Road          WY5 0AA          TEL: 01932 864817 Fax: 01773 813438 Email: BRINDEN@SEVENDS.COM</p>			
<p>PROJECT          PROPOSED RESIDENTIAL DEVELOPMENT          WATERLANE          NEWPORT          SHROPSHIRE</p>			
<p>CLIENT          A.F. TYLER</p>			
<p>FORWARDED</p>			
<p>STREET SCENES</p>			
DRAWN	CHECKED	APPROVED	DATE
DAI	SCALE 1:500 B.A.1	20/11/19	
DRAWING NO.	1105/P104		B



TWC/2017/0330

Site of T A Jervis & Co. Ltd & land adjacent, Holywell Lane, Lightmoor, Telford, Shropshire  
Demolition of existing commercial buildings/remediation of haulage yard and outline  
application for residential development of up to 17no. dwellings, including means of access  
with all other matters reserved

**APPLICANT**

T A Jervis and Company in Partnership with  
Kingspan Potton

**RECEIVED**

12/04/2017

**PARISH**

Dawley Hamlets

**WARD**

Horsehay and Lightmoor

**OFFICER** Kate Stephens

**THIS APPLICATION IS BEFORE THE PLANNING COMMITTEE AS IT IS SUBJECT TO A  
S106 FOR FINANCIAL CONTRIBUTIONS**

**1. PROPOSAL**

- 1.1 This outline application, to include access, seeks consent for the erection of 17 custom-built dwellings following demolition of existing commercial buildings on the former haulage yard. Issues of scale, appearance, layout and landscaping are Reserved Matters for later consideration.
- 1.2 Whilst the proposal is intended as a self-build scheme, the applicant intends to co-ordinate and organise the preparation of the site demolition and remediation, construction of the access road and provision of utility services and plot preparation. The applicant intends for the site to have some common design threads and its team will work with plot buyers to ensure that the individual custom-build plots fit into an overall site master plan to create a cohesive development.
- 1.3 To this end the applicant has submitted a Design Guide with concept designs of the dwellings. An illustrative layout has also been submitted that shows it is possible to site 17 dwellings, together with the access road, driveways and parking.
- 1.4 Access to the site would be via the exiting access road to the haulage site that comes off Holywell Lane, which in turn comes off St Luke's Road/Holly Road.
- 1.5 The application form and plans are also accompanied by the following documents:
  - Planning Statement
  - Design Guide
  - Transport Statement
  - Landscape and Visual Assessment
  - Site Appraisal (including Phase I and II Ground Investigation)
  - Drainage Appraisal
  - Flood Risk Assessment
  - Ecological Appraisal
  - Preliminary Tree Survey
  - Daylight & Sunlight Assessment
  - Financial Viability Assessment

- 1.6 During the determination of the application the layout has been amended slightly to replace a row of terraced properties with 4 small detached properties instead.

## **2. SITE AND SURROUNDINGS:**

- 2.1 The approx. 1 ha site is a former haulage yard that is located approximately 4kms south west of Telford town centre, 2kms south west of Dawley District centre and 5kms north of Ironbridge. The site lies within the built up area of Telford as defined on the Telford & Wrekin Local Plan policies map. There are designated cycle and walking routes close by and stops on Holly Road for the No.9 bus service to Wolverhampton, via Telford town centre, and at Lightmoor for the No.19 service between Telford and Ironbridge.
- 2.2 The site is accessed via St Lukes Road and then off Holywell Lane. It is a brownfield site that has been a commercial haulage yard. The site currently houses various plant and machinery and there are several buildings/sheds that will be demolished and areas of hardstanding will be removed. The site is adjacent to the southern boundary of the former Doseley Pipeworks site that is currently being built for 450 dwellings, and some of those dwellings will back on to the application site's northern boundary. To the west lies the 800-dwelling development of Lightmoor.
- 2.3 Land adjacent to the site's western and southern boundary is in the applicant's ownership and this is designated Green Network on the TWLP Policies Map. The site is well screened with trees along the site's western and northern boundaries and forms a discrete parcel of land for development, but is close to existing new residential development. There is a group Tree Preservation Order (TPO) on some trees in the south western corner. The site itself has level differences within it, and the site rises up gradually from the south to the boundary with the Doseley pipeworks.
- 2.4 A public right of way (PRoW) crosses the lower part of the site and surrounding Green Network in a SE/NW direction. This will need to be diverted to follow the access road and then join with the NW part of the public footpath that exits the site and continues towards Lightmoor. Another PRoW runs along the site's northern boundary, but there is no need for any diversion.
- 2.5 There are three residential properties next to the site, each accessed off the access road to the site. Sunny Ride and Little Orchard are a pair of modern semis that are located approximately half way along the access road to the site. Highfield is immediately adjacent to the southern boundary of the site and the side of the dwelling is approx. 5m from the site boundary.

## **3. RELEVANT PLANNING HISTORY**

TWC/2010/0288 Erection of 26no. dwellings (comprising 20 dwellings & 6 flats) and alterations to existing access road. Full Granted 4/03/2011.

W2008/0792 Erection of 14no. dwellings and improvements to existing private access road. Withdrawn 05/05/2010.

#### **4. PLANNING POLICY CONTEXT:**

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

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

##### Telford & Wrekin Local Plan

SP 1 Telford  
SP 4 Presumption in Favour of Sustainable Development  
HO 5 Affordable Housing Thresholds and Percentages  
HO 6 Delivery of Affordable Housing  
NE 1 Biodiversity and geodiversity  
NE 2 Trees, hedgerows and woodlands  
NE 4 Provision of public open space  
NE 5 Management and maintenance of public open space  
C 1 Promoting alternatives to the car  
BE 1 Design Criteria  
BE 9 Land Stability  
BE 10 Land Contamination  
ER 12 Flood risk management

#### **5. SUMMARY OF CONSULTATION RESPONSES:**

##### **Standard consultation responses**

**Dawley Parish Council** – no comment

##### **5.1 TWC Drainage – Object**

- Although the Drainage Appraisal submitted as part of the application documents has identified the principles of how the site will be drained no assessment has been made of the existing flood risk to the site.
- The site is affected by surface water flooding across a range of return periods and the area most at risk is the area where the proposed properties will be located.
- Until this flood risk has been assessed and until details have been submitted detailing how this will be addressed, the Drainage Team would object to development in this location.
- In addition the Drainage Appraisal has identified that surface water attenuation will be provided under parking a spaces. TWC do not accept the construction of attenuation features under land in private ownership.
- Any drainage design should reflect this requirement.
- Further information has therefore been requested relating to surface water flows, flood risk and the culvert that crosses the site.

Members will be updated.

**5.2 TWC Highways** - no objection to the proposals, subject to planning conditions for design and construction of any new roads and parking.

In view of the proposed alteration to the public rights of way, recommend liaison with the Senior Public Rights of Way officer for Telford & Wrekin Council.

**5.3 TWC Trees – Object**

There is a TPO attributed to a number of trees on this site. Given that they are not included within this application comments cannot be made. A tree survey regarding this site is required prior to any comments being submitted.

**5.4 TWC Healthy Spaces Officer - comment**

- The proposed development generates the need for children's play / recreation in accordance with saved WLP policies LR4 and LR6.
- This need can be met through provision of an off-site contribution of £600 per dwelling and would go towards improving the nearest children's equipped play area at Lightmoor.
- There appears to be some incidental open space to the side of the proposed vehicular access route, but not clear who or how the POS (and indeed the Highway) is to be managed and how this is to be financed.
- If the Highway and POS area are to be adopted by the LA this needs to be confirmed and suitable financial arrangements agreed.
- Should the proposed management be a management company, the LA would need to agree the company (in writing) to ensure the company is suitable to maintain this area for the long term and agree how this area is to be maintained and this would require a long term landscape management plan condition.

**5.5 TWC Ecology – support subject to conditions**

- On receipt of additional information and clarification, now satisfied and can support with conditions relating to relating to a bat-lighting plan, erection of nesting/roosting boxes, submit an Ecological Mitigation Strategy and Method Statement, submit a Habitat Creation and Management Plan and informatives.

**5.6 TWC Environmental Protection (contaminated land)**

Having reviewed the submitted phase 1 and 2 investigations recommend imposing land contamination condition which includes any necessary remediation measures.

**5.7 TWC Education – No objection.**

Given the number and type of dwellings a contribution of £46,439 towards primary education facilities in the vicinity of the development is required (Captain Webb School). The spreadsheet on file shows the proposed contribution.

**5.8 Shropshire Council (Archaeology) – No comment**

**5.9 West Mercia Police – Crime Prevention Design Advisor – Comments summarised below:-.**

- Do not formally object to the proposal however, there are opportunities to design out crime and/or the fear of crime and to promote community safety. Recommend the applicant should aim to achieve the Secured By Design (SBD) award status.
- The applicant should also consider avoiding blank elevations; positioning parking spaces outside front of corresponding dwelling; installing dusk-to-dawn lighting; removing any ambiguous spaces/grass/vegetation; avoid an overly permeable layout; front dwelling boundaries should be separated from public areas with fence/railing/wall that is no more than 1 metre in height. Rear boundaries of a

dwelling require fencing and rear garden gates that are a minimum of 1.8 metres in height to prevent intruders from gaining access to the rear of the property. Garden gates should be lockable.

- Duty of each authority to exercise its various functions to do all that it reasonably can to prevent crime and disorder in its area - Section 17 of the Crime and Disorder Act 1998.
- If approved, efforts to prevent crime should be considered during the building phase, as building sites are targets for crimes.
- Recommend that the developers inform the local Safer Neighbourhood Policing Team, which covers the area of the development, when they arrive on site and provide them with contact numbers for the site manager for use in the case of an emergency.

#### **5.10 Neighbour consultation responses**

The application was advertised by neighbour notification. No comments have been received from neighbours.

#### **5.11 Telford & Wrekin Local Access Forum – Object**

- TWLA Forum has a statutory duty to advise on the improvement of public access to land for the purposes of open-air recreation.
- The developer has identified Public Rights of Way in and around the site - these are referred to as Bridleway but at least one has Restricted Byway status, which is a higher status. The OS map shows a Footpath on the development area but there's no reference to this on copies of the Definitive Map. Therefore some confusion on the attached plans as to what are Restricted Byways (Holywell Lane for example) and what are Bridleways and Footpaths.
- Pleased that the applicant has offered a new Bridleway through the site along the side of the access road. This is a great gift and will be a real benefit to the community, but this has no value unless it is formally created a Bridleway by Legal Order, as it could be taken away at a moment's notice and gated if not. It is a massive advantage to have Bridleway status as this allows the safe off-road route to be used by cyclists for sustainable transport.

### **6. PLANNING CONSIDERATIONS:**

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

- The principle of the development
- Design, layout and impact on neighbouring amenity
- Highways
- Drainage and ground conditions
- Ecology and landscaping
- Planning obligations

#### **6.2 Principle of development**

6.2.1 Section 38 (6) of the Planning and Compulsory Act (2004) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. National guidance in the NPPF is also a material consideration. Since the application was submitted the Telford & Wrekin Local Plan (TWLP) has been adopted (Jan 2018).

- 6.2.2 The site is located approximately 4kms south west of Telford town centre, 2kms south west of Dawley District centre, approx. 1kms from the local centre at Lightmoor and 5kms north of Ironbridge which all provide a range of services and facilities. The site is therefore not within easy walking distance of shops and facilities and car usage will be inevitable. However, there are designated cycle and walking routes close by and bus stops on Holly Road for the No.9 bus service to Wolverhampton, via Telford town centre, and at Lightmoor for the No.19 service between Telford and Ironbridge.
- 6.2.3 TWLP Policy SP1 sees urban Telford as the principal focus for new development and does not stipulate minimum distances to services/facilities. Policy HO1 informs the housing requirement. SP4 of the plan indicates that there will be a presumption in favour of sustainable development, in line with the NPPF. Development in this urban location therefore accords with policy in principle. Furthermore, the principle of housing development on this site was considered acceptable back in 2010 for 20 houses and a block of 6 apartments and occupying a similar layout. Whilst this permission has expired, it illustrates that housing on a similar designed scheme has already been considered acceptable.
- 6.2.4 The proposal will also reuse brownfield land, which the NPPF encourages, within the built up area of Telford. Consideration must also be given to the authorised use of the site as a commercial haulage yard, which is a material consideration, and which has the potential to have an adverse impact upon the residential amenity of neighbouring dwellings, especially with the adjacent Doseley Pipeworks now being redeveloped for housing. Hence the removal of a commercial use from what has now become a more residential area is considered to represent a betterment to the area overall. Issues of land stability and contamination are capable of being addressed by condition.
- 6.2.5 Policy HO4 requires housing developments over 11 dwellings to deliver a mix of housing types and sizes to meet a range of needs. Policies HO5 and HO6 also require the provision of 25% affordable housing in urban Telford. The applicant has submitted a viability assessment to show that the provision of affordable dwellings for this custom-built scheme is not feasible. The viability assessment has been interrogated by the Council's Development Delivery Group Specialist, who sought further clarifications and the additional information was submitted. With the abnormal costs on the site he is satisfied that the delivery of affordable housing will render the scheme unviable.
- 6.2.6 Despite the justification for no affordable housing and some policy conflict, the site is within Telford's urban area where new housing is to be focussed and the proposal re-uses a brownfield site. Therefore the principle of the residential development accords with development plan policies.

### **6.3 Design, layout and impact on neighbouring amenity**

- 6.3.1 The layout approved for the TWC/2010/0288 application is similar to the layout presented for this application, but for fewer dwellings hence creating a more spacious and lower density development. TWLP Policy BE1 seeks to ensure that development responds positively to its context and enhances the quality of the local built and natural environment and sets out various criteria for good design. The NPPF also seeks "*to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*" as one its 12 core principles and 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.*” The Police have submitted comments on how to Design Out Crime that the applicant/developer should take into account when working up the Reserved Matters and detailed design of dwellings and layout.

- 6.3.2 The site is fairly well screened and will not appear unduly dominant in the surrounding undulating countryside. There are sizeable residential developments nearby at Lightmoor (over 800 dwellings) and the adjacent Doseley Pipeworks (450 dwellings), and there is existing older residential development along St Lukes Road.
- 6.3.3 The application is outline with only access considered at this stage. Matters relating to the detailed design of dwellings and buildings, their exact location, position of windows, boundary treatments, landscaping etc. will need to be submitted and considered in any subsequent Reserved Matters applications, should outline planning permission be granted. However, the illustrative layout and Design Guide should ensure that this custom-build scheme is cohesively designed. The Design Guide indicates two and three storey dwellings with a range of materials. As the site does not sit amongst an existing street scene, there are no prevailing house types or design from which to take reference.
- 6.3.4 Residential use of the site is likely to result in less noise and disturbance for exiting residents than the haulage yard. The nearest dwelling to the site is Highfield which is situated approx. 5 metres from the site’s southern boundary and on approximately the same ground level at this part of the site. The illustrative layout shows plots 1 and 2 in relative close proximity to Highfields, with their rear elevations facing the garden of Highfield. Any Reserved Matters design for these plots will need to give careful consideration to the position of windows to avoid overlooking, although Highfield already has two first floor windows that look over the boundary fence into the haulage yard. The other existing property Little Orchard is over 25m from the site’s boundary, although its garden abuts it. Again, plot design at Reserved Matters stage will need to ensure careful window positions to avoid any significant overlooking. None of these neighbouring properties have commented on the application.
- 6.3.5 Officers are satisfied that the proposed indicative layout demonstrates that a suitable design layout will provide an acceptable form of residential development for the site in this part of Telford and the dwellings can be suitably designed at Reserved Matters stage to ensure there is no significant detriment to residential amenity of nearby properties. As such the proposed illustrative layout is considered acceptable to go forward to be worked up into a detailed scheme in any subsequent Reserved Matters application.

## **6.4 Highways**

- 6.4.1 The applicant has submitted a Transport Statement. The site has an established use as a haulage yard, which is a material consideration when assessing existing and new traffic movements and types of vehicles (HGVs/lorries versus cars). The proposed residential use of the site for dwellings will generate a different pattern of traffic but will reduce the number of heavy goods vehicles using Holly Road and St Lukes Road and the wider local road network. Furthermore the Council’s Highways Engineers have no objection to the proposal subject to conditions requiring details of access construction and parking provision. Therefore there are no technical highway grounds upon which to refuse the scheme.
- 6.4.2 With regards parking, the scheme is outline so exact parking provision is not known at this stage. However, the illustrative layout indicates on-plot parking on private

driveways for several cars. Any Reserved Matters application will need to take into account the residential parking criteria in TWLP policy C5 and the parking standards set out in associated Appendix F.

- 6.4.3 With regards public rights of way (PRoW), officers have checked with the Public Rights of Way Officer who has confirmed that the PRoW that crosses the lower part of the site in a SE to NW direction is a public footpath (not a bridleway as the T&W Access Forum suggest). This will need to be diverted as it will cross individual house plots and gardens. The applicant will need to divert the public footpath along the pavement that will be created along the existing access road. The diverted path will then need to go between the houses (the illustrative layout shows the route going between plots 10 and 11) and join the existing public footpath route that continues west as a public footpath. This footpath later converges with the public footpath that runs along the north of the site, and the converged public footpath then continues as a public footpath to Lightmoor.

## **6.5 Drainage and ground conditions**

- 6.5.1 The site lies within Flood Zone 1 and the applicant has submitted a Drainage Appraisal. However the Council's Drainage Engineers have advised that, whilst the Drainage Appraisal has identified the principles of how the site will be drained, no assessment has been made of existing flood risk and surface water flows from adjacent sites, including the Doseley Pipeworks site. Furthermore the applicant is proposing flood attenuation measures under parking areas, which would be in private ownership, and hence this is not acceptable to the Council.
- 6.5.2 There is also a culvert that runs through the Doseley Pipeworks and crosses the application site, but its exact alignment, depth and condition is unknown. Details of this are required as there will need to be a 10m off-set and the layout may need to be amended to ensure that the culvert does not pass through private garden space. The Drainage Engineers want to see the alignment of the culvert shown on the illustrative layout before permission is granted. Therefore additional information is awaited and Members will be updated.
- 6.5.3 With regards contamination the applicant has submitted a Phase I and II appraisal. The site has potential contamination from fuel tanks and oil containers and other industrial wastes associated with nearby old landfill sites. There is possible Japanese Knotweed over parts of the site. There is also likely to be asbestos from some of the older buildings. The applicant's submission indicates that the site is not within the likely zone of influence of any present underground coal workings or in an area which is likely to have affect at the surface. The site is not within an area recorded to require radon protection measures. There may need to be some ground investigations to establish ground stability and inform foundation design. The Council's Public Protection team, have reviewed the Phase I and II investigations for ground contamination and have recommended the standard land contamination condition to require appropriate remediation. As advised by the NPPF (para 120) it is the responsibility of the developer and/or landowner to secure a safe development where there are issues of contamination and land stability, and with ground level differences across the site the developer will need to ensure the site can be appropriately developed and made safe.

## **6.6 Ecology and landscaping**

- 6.6.1 The applicant has submitted an Ecological Appraisal, but the Council's Ecologist noted that some of the surveys were out of date. Some of the buildings have bat

roosting potential and there are some ponds in close proximity that could be habitats for Great Crested Newts and there needs to be an updated reptile survey. The site should also be re-assessed for badgers. At the request of the Council's Ecologist, further clarification about the various surveys has been submitted. The Council's Ecologist is now satisfied and supports the proposals subject to conditions.

- 6.6.2 The inside of the site, being a former haulage yard and hard surfaced, lacks much soft landscaping. Landscaping is a reserved matter, so details will be submitted in due course, should consent be granted. The applicant has submitted a Landscape and Visual Assessment. The site is well screened and there are mature trees, particularly around the western boundary, separating the site from the undulating Green Network and countryside beyond. Views into the site are limited due to the surrounding undulating topography and vegetation. Officers are satisfied that there will be no significantly adverse impact on the character of the area, especially when considering and comparing the existing commercial haulage yard use.
- 6.6.3 Officers have some concerns that some of the western boundary trees, some of which are protected by TPOs, will cause overshadowing of some of the proposed rear gardens, with plots 14 -17 appearing to experience significant overshadowing of the majority of the rear garden area and that there may be pressure by residents to have trees felled. In response the applicant has submitted a Daylight & Sunlight Assessment. This concludes that all habitable rooms will exceed average daylight factors during winter months, and in the summer months all habitable rooms will exceed average levels, apart from the kitchen/dining room of plot 15. With regards the gardens, the report concludes that they will still receive adequate sunlight. However, Officers are still not entirely convinced about the effect on the amenity of private gardens, but acknowledge that the layout is only indicative at this outline stage, so the Reserved Matters will need to consider these plots in more detail and some plots may need to be repositioned. The Ecological Appraisal indicates that 3 trees will need to be removed, and the remainder of the tree belt will be retained. A condition can be imposed requiring more detailed tree assessments at Reserved Matters stage as well as conditions requiring all existing trees to be protected during construction, unless details indicate otherwise.
- 6.6.4 The proposed scheme does not include any on-site play provision. However, there are equipped children's play areas at the adjacent Doseley Pipeworks that residents would have to walk around to, and also at the 800-dwelling Lightmoor housing development, which could be walked to along the public footpath through the site. The Council's Healthy Spaces Officer is willing to accept a financial contribution towards the improvements/maintenance of nearby off-site play facilities at Lightmoor.

## **6.7 Planning Obligations**

- 6.7.1 The development will have a number of impacts on local infrastructure including education and open space. In identifying the required planning obligations on this application the following three tests below, which are set out in the CIL Regulations (April 2010) in particular Regulation 122, have been applied along with TWLP Policies COM1, NE4 and NE5 (previously Wrekin Local Plan policies NR4 and LR6) to ensure that the application is treated on its own merits:-
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.

6.7.2 In addition, account has to be taken of the changes to the CIL Regulations in April 2015 that now restrict the “pooling” of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that the financial contributions set out below meet the relevant tests.

6.7.3 Consultees have requested the following contributions:-

- £46,439 for Education towards the Captain Webb primary school.
- £10,200 for Play provision towards improvements of the off-site children’s play area at The Croppings, Lightmoor.

6.7.4 With regards affordable housing, policy HO5 requires 25% provision for urban housing schemes. The applicant has submitted a viability assessment which has been interrogated by the Council’s Development Delivery Group Specialist, who subsequently sought further clarifications. With the abnormal costs he is satisfied that the delivery of affordable housing will render the scheme unviable.

## 7. CONCLUSIONS

7.1 The re-development of this brownfield site within Telford’ urban area where new development is to be focussed is acceptable in principle and accords with the development plan and NPPF. There will be no affordable housing due to the abnormal costs involved. Officers are satisfied that the illustrative layout shows that 17 dwellings can be accommodated on the site with suitable access and parking. Officers are also satisfied that a suitably designed scheme can be worked up at Reserved Matters stage that can ensure there is no adverse impact on the amenity of neighbouring properties and that all plots have adequate amenity space. There will be some impacts of local infrastructure that can be mitigated by s106 financial contributions. Drainage details are still awaited to inform an in-principle decision, so delegated authority will be sought. Furthermore, more work will need to be done to ascertain tree retention and this can be conditioned. There are no other technical matters relating to highways, ecology, or ground conditions that cannot be mitigated or addressed by conditions.

## 8. RECOMMENDATION

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

- A) The submission of satisfactory drainage information;
- B) The applicant/landowner and other interested parties entering into a section 106 legal agreement with the Local Planning Authority (with indexing applicable to contributions from the date of the committee resolution to grant outline consent) for :-
  - Education - £46,439 for towards the Captain Webb primary school,
  - Play provision - £10,200 towards improvements of the off-site children’s play area at The Croppings, Lightmoor.
- C) And subject to the following conditions and informatives (with officer delegated powers to update/amend as necessary).
  - Time limit - Outline
  - Time limit – Submission of Reserved Matters.

- Standard outline some matters reserved.
- Details required for Reserved Matters including trees
- Details of materials.
- Landscape design.
- Landscape Implementation hard and soft.
- Landscape Management and Maintenance.
- Various Highway conditions as specified by Highways Engineers
- Land contamination.
- Site Environmental Management Plan for construction works.
- Piling
- Details for the erection of nesting/roosting boxes.
- Ecological Mitigation and Method Statement.
- Habitat Creation and Management Plan
- Tree protective fencing.
- Trees Services root protection.
- Trees No Dig Method.
- Trees – no burning.
- Trees – Soil levels.
- Trees – Material Storage.
- Foul and surface water drainage (SuDS)
- Surface drainage
- Surface water treatment
- Exceedance flow routing plan
- SuDS management plan.

Informatives:

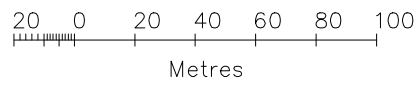
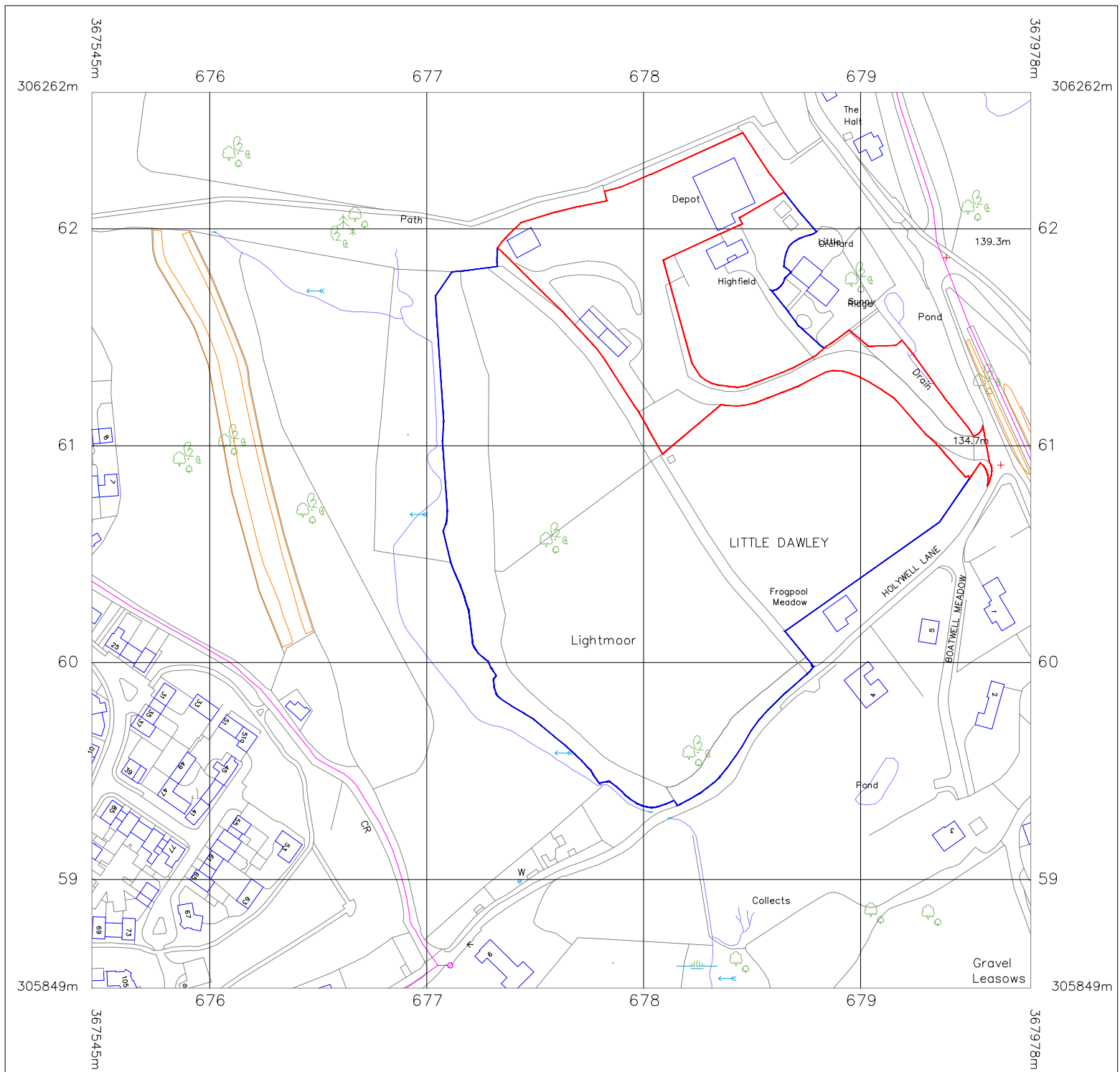
I106 – Section 106 agreements

I40 - Conditions

I44 – Reasons for grant of outline consent

Other various informatives including ecology, fire, Design Out Crime

# Stanfords VectorMap



**SCALE 1:2500**



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