



Telford & Wrekin  
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

## PLANNING COMMITTEE

Date **Wednesday, 4<sup>th</sup> July 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 C F Smith (**Chair**), C R Turley (**Vice Chair**),  
N A Dugmore, I T W Fletcher, J Loveridge, N C Lowery, L A Murray,  
S J Reynolds and P Scott

**Substitutes:** Councillors E A Clare, G H Cook, J A Francis, E J Greenaway,  
K R Guy, R T Kiernan, K S Sahota, 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  
13 June 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 **Deferred/Withdrawn Applications**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, 13 June 2018 at 6.00pm at Charlton School, Apley Avenue, Wellington, Telford TF1 3PN

**Present:** Councillors C F Smith (Chair), G H Cook (as substitute for J Loveridge), N A Dugmore, I T W Fletcher, N C Lowery, S J Reynolds, K S Sahota (as substitute for C R Turley), M J Smith (as substitute for L A Murray) and W L Tomlinson (as substitute for P J Scott)

#### **PC-001      Apologies for Absence**

Councillor J Loveridge, L A Murray, P J Scott and C R Turley.

#### **PC-002      Declarations of Interest**

None.

#### **PC-003      Minutes**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 23 May 2018 be confirmed and signed by the Chairman.

#### **PC-004      Deferred/Withdrawn Applications**

None.

#### **PC-005      Site Visits**

None.

#### **PC-006      Planning Application for Determination**

- a) TWC/2016/0667 – Doseley Works, Doseley, Telford, Shropshire TF4 3BX

This application was for a variation to condition 31 of TWC/2012/0650 which read “only 75% of the proposed number of dwellings can be built and served off St Luke’s Road, until a second site access (onto Lightmoor Way) has been secured and provided. The 75% of the site shall include the open space areas up to and include the Quarry Pool. A site visit had taken place in the afternoon prior to the Committee Meeting taking place. An update report was tabled at the meeting and referred to an additional objection from a member of the public regarding the secondary access and the impact on the highway.

Councillor D Hopkins spoke against the application on behalf of Dawley Hamlets Parish Council and local residents who were opposed to this very unpopular application. He raised concerns regarding access, lack of footpaths, highway safety, parked vehicles, safety of pedestrians and the speed of traffic.

Councillor J Greenaway, Ward Member, spoke against this application and raised concerns regarding pedestrian safety, lack of dropped kerbs, narrow paths which were unsuitable for prams and disability vehicles, a 90 degree bend and the loss of the local bus service which would leave the community isolated with no public

transport and unsuitable walking and cycling provision. A second access would ensure a sustainable development and would comply with Policy B1 of the Local Plan and the NPPF.

Councillor R Mehta, Ward Councillor, spoke against the application and raised concerns regarding the strain on the residents, the safety of pedestrians and visitors to the area and felt that situation was a hazard waiting to happen and in this respect felt that a second exit was imperative.

Mr P Smith, the Applicant, spoke in favour of the application and informed Members of the difficult negotiations which were taking place with Bournville Village Trust (BVT) with regards to securing a north access for the remaining 115 plots and asked Members to consider varying Condition 31 to enable this to take place.

The Planning Officer informed Members that there were no technical highway objections to the outline application and Condition 31 was not imposed on highway safety grounds. To refuse the application on highway safety grounds would therefore fail the tests set out in the NPPF. The second access was necessary to ensure the development was sustainable and linked to amenities in Lightmoor Village such as school, shops and play facilities. The development needed good quality connectivity and access to those facilities. A failure to provide access to those facilities would result in a development contrary to Policies BE1 and SP4 of the T&WLP and the requirements of the NPPF. If Members were minded to approve the application and remove Condition 31, there would be nothing formally requiring the provision of the second access.

During the ensuing debate some Members raised concerns regarding varying Condition 31 as they considered the condition to be reasonable and enforceable. Other Members raised concerns regarding the lack of a second access and this being contrary to Policy BE1 and SP4, sustainable connectivity and isolation from community amenities/facilities such as school, play areas, community rooms, football pitches and shops.

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

**RESOLVED – that in respect of Planning Application TWC/2016/0667 that this application be refused and the wording of the relevant condition (Condition 31) remains as originally imposed in Planning Permission reference TWC/2012/0650.**

- b) TWC/2016/1152 – Site of Parkland House, The Car Auction Ltd & Land north of Audley Avenue Industrial Estate, Audley Avenue, Newport Shropshire

This was an outline application for the erection of up to 61 dwellings with all matters reserved on the site of the former car auction and Parkland House at Audley Avenue, Newport. This application was before the Committee due to a Section 106 agreement to secure affordable housing and financial contributions towards education and healthy spaces. A site visit had taken place in the afternoon prior to the meeting.

An update report was tabled at the meeting which provided Newport Town Council's latest consultant response following the reduction in numbers of dwelling from 68 to

61. As the Town Council met on the 23<sup>rd</sup> May 2018 which pre-dated receipt of the latest plan their comments are based on a previous iteration but generally reflect a more positive response.

The Planning Officer outlined that a S106 agreement would be entered into to secure 35% affordable housing, £33,000 to increase capacity of existing children's play area at Shukers Field, Newport and £201,803 contributions towards changing room facilities projects at Burton Borough Secondary and Newport Primary School.

During the ensuing debate, some Members raised concerns regard the neighbouring reclamation site (Lineal Construction Limited) and in particular the dwellings numbered 17-27 which backed on to the site, the lack of tree screening or fencing, the stockpiled earth mound, the plant machinery, and environmental issues. Other Members supported the re-use of the site and the reduction in the number of units but raised concerns regarding the noise and impact on the residential properties and the lack of mitigation measures or acoustic barriers. Further Members' concerns raised were the smell of diesel, mitigations measures businesses may have to put in place, the light and if the overall number of houses were suitable for the site. A suggestion came forward that this application be deferred in order that these issues could be further explored.

The Planning Officer informed Member that a noise report had been undertaken which stated that a 2m high close board acoustic fence would provide sufficient noise mitigation. He suggested that if Members were minded they could ask Environmental Health to look at the issues raised on the site. A conversation had taken place with the owner of Lineal Construction Limited who had confirmed that the "breaking" only takes place once every month to 6 weeks and that this was controlled by a Waste Disposal Licence.

It was proposed and seconded that this application be deferred in order to address the issues raised regarding noise, visual amenity and environmental issues from the neighbouring reclamation site.

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

**RESOLVED – that in respect of Planning Application TWC/2016/1152 that this item be deferred to address issues raised regarding the noise, visual amenity and environmental issues from the neighbouring reclamation site.**

c) TWC/2017/0406 – Land rear of Cedar Lodge, Waters Upton, Telford, Shropshire

This was a full application for the erection of 8 no. dwellings (including 3 no. affordable units) with the creation of a new access. This application was deferred at Planning Committee on 28<sup>th</sup> February in order for the issues regarding the access to be explored. An update report was tabled at the meeting and referred to parking, the adoption of the highway, shared access and affordable housing.

The Planning Officer informed Members that Plot 4 of the application had been reduced from a 4 bedroom dwelling to 3 bedrooms. Parking spaces had been amended so that the number of bedrooms was the same as the number of parking spaces per property. Passing places had now been provided and were shown on the updated plan, together with a communal bin store. Agricultural vehicles would pass the development infrequently, approximately one vehicle every two days.

Refuse vehicles were not duty bound to drive down an unadopted highway. There was provision for 3 affordable units on this site.

Councillor L Baker-Oliver spoke against the application on behalf of Waters Upton Parish Council who raised concerns regarding the Applicant's/Agent's handling of the Planning Application, lack of ability to amend the application, late amendments to parking spaces and the provision of a bin store, degrading of the highway surface, passing agricultural vehicles and the ill-conceived, poorly presented development which was contrary to planning policy.

Councillor S Bentley, Ward Councillor, spoke against the application raising concerns that the Committee's concerns raised on 28 February were still relevant and not satisfactorily dealt with, late tabling of amended plans, lack of consultation, overlooking, agricultural traffic movements, estate being subject to probate, beyond the physical settlement and in open countryside, local lettings policy and current vacancies and was contrary to the NPPF, the Local Plan and Waters Upton Neighbourhood Plan.

Mr C Huntley, Applicant's Agent spoke in favour of the sustainable development which was in the centre of Waters Upton a primary rural settlement. The carriageway width was 4.2-4.8m which was an adoptable standard. There was clear visibility. Parking had been amended and there was a provision of affordable housing, the first of its type in Telford and Wrekin. The plot was infill and would form a focal area within the village.

The Highways Officer explained to Members that there were no defensible reasons to refuse this application on highway grounds. The roads would not be to an adoptable standard due to the lack of a turning area. Refuse vehicles would need to 30-40m to reverse to reach the turning area and due to the sharp radii agricultural vehicles would overrun the footway to pass opposing or parked traffic.

During the ensuing debate, some Members, were pleased to see some changes to the development, but were disappointed that the changes had not gone back out for consultation and the roads would not be of an adoptable standard. Further concerns raised related to use by agricultural vehicles, vehicular turning area and radii, lack of passing places and sustainability. Other Members felt that as nearby houses were "under construction" that this application was an infill plot.

The Planning Officer informed Members that this site was a small infill and the report has afforded full weight to the Waters Upton Neighbourhood Plan.

The apT - Planning Delivery Group Manager confirmed to Members that the applicant was in control of the area of land and grass creed could be used for agricultural vehicles.

Upon being put to the vote it was, by a majority:-

**RESOLVED – that in respect of Planning Application TWC/2017/0406 that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission subject to the following:**

- a) **The applicant entering in to a Section 106 Agreement with the Council relating to:**

**37.5% provision of affordable housing (3 dwellings) made available for affordable rent (through a Registered Provider). All lettings should be made through 'Homes Direct' with priority for initial lettings and future relets be given to people in housing need who are long term residents of, or who have a strong local connection with, the parish of Waters Upton.**

**b) the conditions and informative set out in the report and update report (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):**

d) TWC/2017/1018 – Land adjacent 4 Tunnel Cottages, Aqueduct Lane, Stirchley, Telford, Shropshire

This was an outline application for the erection of up to 2 no. dwellings with all matters reserved and had been called in by Stirchley and Brookside Parish Council. A site visit had taken place in the afternoon prior to the meeting.

Councillor R Breeze spoke against the application on behalf of the Stirchley and Brookside Parish Council who raised concerns regarding the large number of objections from local residents, highway safety, overdevelopment, visibility, car parking, access, ecology, lack of pavements and lighting and the main access was via the Silkin Way which was open to cyclists, dog walkers, pedestrians and horesriders.

Councillor A England, adjoining Ward Member for Brookside, spoke against the application on behalf of his residents and raised concerns regarding the effect on local residents, blind bend, traffic survey, highway and pedestrian safety, traffic flow and congestion, drainage and water supply and the effect on the fauna and flora. He considered that this was a ribbon development and was inappropriate.

The Highways Officer informed Members that this application was an amended scheme with the access centrally placed which was more acceptable. There were no technical issues with regard to drainage and although the access near to the junction was not ideal officers were satisfied with the scheme. The hedge at the front of the development did not form part of the green guarantee.

During the ensuing debate, some Members felt that the principle of development had already been set but raised concerns regarding the speed of vehicles, the positioning of the dwellings and the impact on privacy.

Upon being put to the vote it was, by a majority:-

**RESOLVED – that in respect of Planning Application TWC/2017/1018 that outline consent is granted subject to the conditions set out in the report (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management).**

e) TWC/2018/0288 – Land rear of Edgmond Foods, Unit 6-10 Audley Avenue Industrial Estate, Audley Avenue, Newport, Shropshire

This application was for the variation of Condition 9 of Planning Permission TWC/2017/0341 relating to the submission of air quality information at Land rear of Edgmond Foods, Units 6-10 Audley Avenue Industrial Estate, Audley Avenue,

Newport, Shropshire. This application had been called in by Councillor A Eade, Ward Councillor.

The Planning Officer informed Members that this application was to vary Condition 9 of this planning permission for a Petrol Filling Station (PFS) for which Environmental Health had submitted extra information. This related to traffic omission, construction dust and the monitoring of air pollution in the vicinity of the site both pre and post development for 36 months. Some re-wording of paragraph 8.1 to the report had taken place and all other conditions would be amended accordingly. Councillor A Eade had called in the application prior to the Agenda being published and prior to sight of the amendment and had no objection to the recommendation.

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

**RESOLVED – that in respect of Planning Application TWC/2018/0288 that planning permission is granted subject to:**

**a) Varying condition 9 to read**

**“Development shall occur in accordance with the Construction Environmental Management Plan by Fox Construction (30th March 2018). All works which form part of the plan shall be implemented throughout the construction phase of the development unless otherwise approved in writing by the Local Planning Authority” and**

**b) other relevant conditions from TWC/2017/0341, (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management)**

The meeting ended at 7.48pm

**Chairman:** .....

**Date:** .....

**TELFORD & WREKIN COUNCIL**

**PLANNING COMMITTEE**

**4 July 2018**

Schedule 1 - Planning applications for determination by Planning Committee

**TWC/2016/1152 Site of Parkland House, The Car Auction Ltd & Land north of Audley Avenue Industrial Estate, Audley Avenue, Newport, Shropshire** Outline planning application for up to 61 dwellings with all matters reserved \*\*ADDITIONAL INFORMATION RECEIVED\*\*AMENDED PLANS\*\* ..... **12**

**TWC/2017/0972 Site of Greenfields Farm, Brockton, Newport, Shropshire** Erection of 4no. dwellings and double garage with granny annexe above following demolition of various outbuildings \*\*\* Amended information \*\*\* ..... **36**

**TWC/2018/0336 Land corner of, Back Lane/Plantation Road, Tibberton, Newport, Shropshire** Erection of 2no. dwellings with associated garage and access..... **54**



**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/2016/1152

Site of Parkland House, The Car Auction Ltd & Land north of Audley Avenue  
Industrial Estate, Audley Avenue, Newport, Shropshire

Outline planning application for up to 61 dwellings with all matters reserved

**\*\*ADDITIONAL INFORMATION RECEIVED\*\*AMENDED PLANS\*\***

**APPLICANT**

Audley Avenue Business Park

**RECEIVED**

14/12/2016

**PARISH**

Chetwynd Aston and Woodcote,  
Newport

**WARD**

Church Aston and Lilleshall, Newport  
South and East

**OFFICER** Andrew Gittins

**THIS APPLICATION WAS DEFERRED BY MEMBERS AT PLANNING COMMITTEE ON WEDNESDAY 13<sup>TH</sup> JUNE 2018 IN ORDER TO ADDRESS ISSUES RAISED REGARDING THE NOISE, VISUAL AMENITY AND ENVIRONMENTAL ISSUES FROM THE NEIGHBOURING RECLAMATION SITE.**

**1.0 THE PROPOSAL**

1.1 This application was heard at Planning Committee on the 13<sup>th</sup> June 2018 following a member site visit. At the meeting Members resolved to defer the application in order to address issues raised regarding noise, visual amenity and environmental issues from the neighbouring reclamation site.

History of Lineal Construction

1.2 The operators of the adjoining site (Lineal Construction) received planning permission (W92/1008) on the 20<sup>th</sup> May 1993 for:

*“Recycling and temporary stockpiling of topsoil and hardcore, together with temporary storage of residual waste prior to disposal to a licensed disposal facility. Existing plant yard, Lineal Construction, Audley Avenue, Newport”.*

1.3 Condition 4 of this consent stated that the operations hereby permitted shall cease with 5 years of commencement as identified in Condition 4 (a) and within a period of 2 months all crushing and screening plant and any residual waste generated shall be removed from the site.

1.4 The permitted operations did not cease and have continued until the present time. As such the applicant could apply for a Lawful Development Certificate under Section 191 of the Town and Country Planning Act 1990 if they can establish that a use/or uses have taken place continuously over a 10 year period. If a certificate is granted then the Council cannot take enforcement action against those uses. Unlike the original consent the Council could not impose any restrictive conditions on a Certificate.

- 1.5 That said, the site is subject to a Waste Disposal Licence (No. A25/30/SL/159) issued by Shropshire Council which imposes restrictions on the type of waste and hours of operation which are as follows:

Monday – Friday      07:00 – 19:00,  
Saturday                07:00 -16:00

The site shall be closed on Sundays and Bank Holidays

The mobile crushing plant shall not operate outside the hours of:

Monday – Friday      08:00 – 18:00  
Saturday                08:00 – 16:00

### Noise

- 1.6 In order to assess the impact of external noise sources, including from Lineal Construction, the Application was submitted with an Acoustic Resting Report (Airtight & Noisecheck Limited Amended 11<sup>th</sup> April 2018).
- 1.7 Sample measures were taken at various locations around the commercial yard and Business Park to establish the noise associated with the area. Section 8 of the report records the noise associated with the variety of vehicles used at the ground works yard.
- 1.8 The measurements for the crusher are from archived data as it was not operational on the 23<sup>rd</sup> and 24<sup>th</sup> January 2017. This demonstrates that at 1 metre the LAeq would be 83Dba reducing to 59dba at the boundary 15 metre away.
- 1.9 The report concludes that a 2.5 metre high acoustic fence would offer between 10-11Db reduction which would bring the external noise level within the gardens under the recommended levels of between 50-55db LAeq 16 hour. An example of a close board timber acoustic fence will be included in the PowerPoint presentation.
- 1.10 Taking all of the above into consideration, Officers considered that compliance with the Waste Disposal Licence and installation of an acoustic fence, the details of which are to be approved by condition, will offer satisfactory protection to occupants from noise.

### Visual Amenity

- 1.11 In order to address Members concerns in respect of visual amenity, the applicant has submitted an amended Indicative Site Layout (Rev W) which turns Plot 19-27 through 90°. This avoids any direct views of the construction yard from the rear elevations of these properties. In addition, soft landscaping will be planted in front of the aforementioned acoustic fence. The details of

which will be agreed but could consist of fast growing species such as hornbeam to provide screening above the fence.

- 1.12 The applicant has also taken on board Members suggestion to retain the existing height of the lower section of conifer hedge at the back of Plots 6-1 and to reduce the height of the higher section to this level. This will fully screen the commercial building at the rear whilst still providing sufficient light to the properties and gardens. These trees will be conveyed to the properties and if the scheme is taken on by Bromford would be maintained by them.
- 1.13 Accordingly, Officers are satisfied that amended indicative layout will result in a good level of amenity and outlook from the properties.

### Environmental Issues

- 1.14 Members express concern about environmental issues caused by Lineal Construction namely the burning of timber on a bonfire and the smell of diesel fumes. The applicant has submitted an email outlining that they have spoken to the Managing Director of Lineal (George Lawrence) who acknowledged the following:
- The stockpiled soil and hardcore exceeded the permitted height of 3 metre and was being rectified.
  - The bonfire was a one-off incident to get rid of untreated timber fence panels. The owners have confirmed this with the Case Officer.
  - The excessive noise was due to a faulty machine.
  - The crusher is only operational once every month to six weeks for one or two days at a time. However this is getting less frequent as this mobile plant is taken to the site rather than the yard.
  - The two cranes have not been used for over 12 months and the intention is for these to be removed over the next 12 months.
- 1.15 Officers consider that this provides a response to the environmental concerns quite rightly raised by Members following the site visit and offers assurance that the operation of Lineal Construction would not prejudice the residential amenity of future occupants of the proposed dwellings and visa-versa.

## **2.0 RECOMMENDATION**

- 2.1 Based on the conclusions above, it is recommended that DELEGATED AUTHORITY be GRANTED to the Delivery Management Service Delivery Manager to GRANT OUTLINE PLANNING PERMISSION subject to;
- A) The submission of satisfactory drainage information,

B) The applicant/landowners entering into a Section 106 Agreement with the Council (with indexation applicable to contributions from the date of committee resolution to grant outline permissions), terms to be agreed by the Development Management Service Delivery Manager, relating to:

**(i) Children's Play Space**

- £33,000 to increase capacity of existing children's play area at Shukers Field, Newport.

**(ii) Affordable housing**

- 35% of units proposed at Reserved Matters with a tenure split of 80% social or affordable rented and 20% shared ownership (with a minimum 25% initial equity stake).

**(iii) Education**

- Contributions (£201,803 total) towards the changing room facilities projects at Newport Primary School (£145,788) and Burton Borough Secondary School (£56,015) to mitigate the impact of the development.

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

1. A02 Time Limit – Reserved Matters
2. A03 Time Limit - Submission of Reserved Matters
3. B001 Standard Outline - all matters reserved
4. B004 General Details amended
5. B005 Conditions details access (amended)
6. B011 Samples of Materials
7. B012 Sample Brick Panel
8. B045 Travel Plan (Measures Only)
9. B057 Land Contamination
10. B076 SUDS Management Plan
11. B079 Scheme of foul and surface water drainage
12. B080 Protection of Dwellings from Noise (Details of acoustic fence)
13. B121 Landscaping Reserved Matter to include Landscape Design
14. B126 Long Term Landscape Management Plan
15. B129 Landscape detail of publically accessible open space
16. B139 Tree Protective Fencing (Custom)
17. B139 Appointment of Arboricultural Clerk of Works
18. B143 Habitat Creation and Management Plan
19. B149 Buffer zone – Water Vole
20. B150 Site Environmental Management Plan
21. C040 No approval of layout
22. C071 Soil levels
23. C050 Completion of noise attenuation to include post validation report

24.C079	Tree Preservation Order Suitable Contractor
25.C091	Works in accordance with ecological survey
26.C109	Erection of artificial nesting/roosting boxes
27.C109	Lighting Plan
28.C38	Development in accordance with plans
29.D11	Construction hours
30.D11	No development on Bank or Public Holidays
31.D01	Removal of all permitted development

### Informatives

I06	Section 106 agreement
I11	Highways – Works within highway S278
I32	Fire Authority
I35	Internal road layout
I36	Street name and numbering
I40	Conditions
I44	Reasons for Outline Consent
RANPPF2	Approval following amendment – NPPF

\*\*\*\*\*ORIGINAL UPDATE TO COMMITTEE 13<sup>TH</sup> JUNE 2018\*\*\*\*\*

### **COMMITTEE UPDATE**

#### **1.0 NEWPORT TOWN COUNCIL REPOSE (23<sup>rd</sup> May 2018)**

- 1.1 The Town Council's comments were made prior to receipt of the latest amended Indicative Site Plan (Rev V received on the 4<sup>th</sup> June 2018) which has been forwarded to the Town Council but as they have not had a meeting since they have not been able to provide further comment. Since consultation, the number of dwellings has been reduced from a maximum of 68 to a maximum of 61 which has led, in Officers opinion, to a significant improvement to the scheme as shown indicatively.
- 1.2 *"The Town Council are being re-consulted on this application with Additional Information and Amended Plans, to ascertain if we wish to provide any further comment. Our previous comments, objecting to the 100% affordable element have been taken on board.*
- 1.3 *Members were appraised that negotiations were still ongoing and that final plans were not yet offered. The Town Council will be re-consulted when final scheme is completed.*
- 1.4 *Members recommend that the developer contributes positively to S106 contribution, and would ask for consideration of the suggestions from the Town Council is submitted. The application site is in close proximity to the Cemetery which has issues around drainage. Mitigation to allow improvements to linkages of drainage works between the development site*

*and the cemetery to eliminate any detrimental or environmental adversity to drainage methods.*

1.5 *This application site and the proximity to the town centre, schools and other amenities will respond positively to non-car use. Therefore pedestrian cycle linkage and public transport provision is essential to be provided to maintain community sustainability.”*

## **2.0 CONCLUSION**

Based on the conclusions above, it is recommended that DELEGATED AUTHORITY be GRANTED to the Delivery Management Service Delivery Manager to GRANT OUTLINE PLANNING PERMISSION subject to;

- A) The submission of satisfactory drainage information,
- B) The applicant/landowners entering into a Section 106 Agreement with the Council (with indexation applicable to contributions from the date of committee resolution to grant outline permission), terms to be agreed by the Development Management Service Delivery Manager, relating to:

**(i) Children’s Play Space**

- £33,000 to increase capacity of existing children’s play area at Shukers Field, Newport.

**(ii) Affordable housing**

- 35% of units proposed at Reserved Matters with a tenure split of 80% social or affordable rented and 20% shared ownership (with a minimum 25% initial equity stake).

**(iii) Education**

- Contributions (£201,803 total) towards the changing room facilities projects at Newport Primary School (£145,788) and Burton Borough Secondary School (£56,015) to mitigate the impact of the development.

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

1. A02 Time Limit – Reserved Matters
2. A03 Time Limit - Submission of Reserved Matters
3. B001 Standard Outline - all matters reserved
4. B004 General Details amended
5. B005 Conditions details access (amended)
6. B011 Samples of Materials
7. B012 Sample Brick Panel
8. B045 Travel Plan (Measures Only)

- 9. B057 Land Contamination
- 10. B076 SUDS Management Plan
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- 14. B129 Landscape detail of publically accessible open space
- 15. B139 Tree Protective Fencing (Custom)
- 16. B139 Appointment of Arboricultural Clerk of Works
- 17. B143 Habitat Creation and Management Plan
- 18. B149 Buffer zone – Water Vole
- 19. B150 Site Environmental Management Plan
- 20. C040 No approval of layout
- 21. C071 Soil levels
- 22. C050 Completion of noise attenuation
- 23. C079 Tree Preservation Order Suitable Contractor
- 24. C091 Works in accordance with ecological survey
- 25. C109 Erection of artificial nesting/roosting boxes
- 26. C109 Lighting Plan
- 27. C38 Development in accordance with plans
- 28. D11 Construction hours
- 29. D11 No development on Bank or Public Holidays
- 30. D01 Removal of all permitted development

Informatives

- I06 Section 106 agreement
- I11 Highways – Works within highway S278
- I32 Fire Authority
- I35 Internal road layout
- I36 Street name and numbering
- I40 Conditions
- I44 Reasons for Outline Consent
- RANPPF2 Approval following amendment – NPPF

\*\*\*\*\*ORIGINAL COMMITTEE REPORT\*\*\*\*\*

**SECTION 106 LEGAL AGREEMENT TO SECURE AFFORDABLE HOUSING AND FININACIAL CONTRIBUTIONS TO EDUCATION AND HEALTHY SPACES.**

**1.0 THE PROPOSAL**

- 1.1 This is an outline application for the erection of up to 61 dwellings with all matters reserved, on the site of the former car auction and Parkland House at Audley Avenue, Newport.
- 1.2 The application has been submitted on behalf of Mr Tringham, owner of Audley Avenue Business Park, although some of the documentation and plans have been produced for Bromford Housing Association who have

intimated that if successful in acquisition of the site could look to delivery up 100% affordable housing.

- 1.3 An Indicative Site Plan has been submitted to demonstrate how up to 61 dwellings could be accommodated.
- 1.4 Indicatively, the 61 units have been split between 6 ones bed flats, 31 two beds and 24 three bed dwellings predominantly in semi-detached units with one detached dwelling and four terraces of three.
- 1.5 A Section 106 agreement would be required to secure 35% or 21 of the units as affordable. The tenure would be split between 17 affordable rent (80%) and 4 shared ownership (20%).
- 1.6 The application is accompanied by:
  - Design and Access Statement,
  - Planning Statement,
  - Transport Assessment,
  - Ecology Report,
  - Flood Risk Assessment,
  - Geo-Environmental Desk Study,
  - Noise Impact Assessment,
  - Tree Protection Method Statement,
  - Tree Report,
  - Arboricultural Impact Statement,
  - Outline Ecological Impact Assessment,
  - Ecology Note Feb 2018.
- 1.7 During the course of the application the scheme has been subject to a number of amendments including:
  - Omission of the proposal to divert the watercourse,
  - Reduction in the number of dwellings from 'up to 95' to 'up to 61',
  - Omission of driveways accessed directly off Audley Avenue, amendments to design of internal estate road and s278 works to Audley Avenue.
  - Re-siting of dwellings on western boundary outside of tree root protection areas.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The 3.33 ha (8.24 acre) site previously accommodated the 'Parklands House' office building and car auction which has recently been demolished. The site consist of an area covered in hard-surfacing and semi-natural grassland.
- 2.2 The site is within the built up area of Newport, as defined in the Telford & Wrekin Local Plan, and is situated 0.8 miles south-east of Newport Town

Centre and 10 miles north-east of Telford Town Centre. The site is accessed off Audley Avenue to the west of a commercial building on Audley Avenue Business Park currently occupied by 'Ableworld'.

- 2.3 The site is 'Y' in shape with the first 160 metres from Audley Avenue previously developed and hard surfaced. The site sits on a south-west to north-east axis and is bound by the A41 to the north-east; a construction waste recycling centre 'Lineal Construction' to the south-east and Audley Avenue to the south-west. The site to the north-west has outline permission for up to 215 dwellings (TWC/2011/0827) part of which is subject to a current reserved matters application (TWC/2018/0138) for 109 dwellings.
- 2.4 The site is bound by willow trees and three protected oaks along the north-western boundary with a trees lining the boundary to the north-east with the A41. With the exception of the crack willow all other trees will be retained. A row of conifers line the south-eastern boundary with the Lineal Construction site, which would be reduced to 4 metres in height.

### **3.0 RELEVANT PLANNING HISTORY**

#### On application site

- 3.1 TWC/2011/0853 - Renewal of planning permission W2008/0886 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 – GRANTED 29/12/2011.
- 3.2 TWC/2017/0874 - Application for prior notification of proposed demolition of Parkland House office suite and associated warehouse buildings and 6/10 portal frame light industrial units – PRIOR APPROVAL GRANTED 27/11/2017.

#### On site to north-west (North of Audley Avenue)

- 3.3 TWC/2011/0827 - 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 – OUTLINE GRANTED 11/08/2017.
- 3.4 TWC/2018/0138 - Reserved matters application for the erection of 109no. dwellings including details for layout, scale, appearance and landscaping pursuant to outline application TWC/2011/0827 – PENDING CONSIDERATION

#### On land North of Aldi, Audley Avenue

- 3.5 TWC/2016/1073 - Erection of 1no. foodstore, 4no. retail units and 1no. cafe/restaurant unit with formation of new access onto the A41 and associated parking, landscaping and servicing – FULL GRANTED 04/12/2017

- 3.6 TWC/2017/0341 - Erection of petrol filling station with sales building, canopy, car parking, 8no. fuel pumps, 2 no. underground storage tanks, air/water bay, vent stack, retaining structure, new access to A41, ancillary arrangements to forecourt and boundary treatment – FULL GRANTED 21/02/2018.

#### **4.0 PLANNING POLICY CONTEXT**

##### 4.1 National Planning Guidance:

###### National Planning Policy Framework

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

##### 4.2 Telford & Wrekin Local Plan (2011-2031)

SP2 Newport  
SP4 Presumption in favour of sustainable development  
HO1 Housing requirement  
HO4 Housing mix  
HO5 Affordable Housing  
HO6 Delivery of affordable housing  
NE1 Biodiversity and geodiversity  
NE2 Trees, hedgerows and woodlands  
NE4 Provision of public open space  
NE5 Management and maintenance of public open space  
COM1 Community facilities  
C3 Impact of development on highways  
C4 Design of roads and streets  
C5 Design of parking  
BE1 Design criteria  
BE10 Land contamination  
ER9 Waste planning for commercial, industrial and retail developments  
ER10 Water conservation and efficiency  
ER11 Sewerage systems and water quality

##### 4.3 Newport Neighbourhood Plan (Regulation 16 Consultation):

H1 Housing development  
H2 Development criteria  
GS2 Contribution or provision of recreational open space,  
GS3 Publically accessible links to green spaces  
TA1 Sustainable transport

#### **5.0 SUMMARY OF CONSULTATION RESPONSES**

##### Standard consultation responses

##### 5.1 Newport Town Council (Original Response 06/01/2017) – Object:

- Acknowledge proposal represents an opportunity for regeneration of an underutilised and redundant site.
- However, site is not identified or designated in the T&WLP for housing.
- Site is not contiguous with the built area of the Town creating a significant housing development on a limb, in isolation within an industrial estate.
- Provision of 95 affordable units likely to create an over concentration and would be openly identified as affordable units. Preference for a mixed tenure development where the affordable are undecidable.
- Public land of equal footprint should be designated as Green Network. Town Council have aspiration to provide burial and cemetery land.
- The site and wider area is identified and recognised as an employment and industrial location and should remain in such use.

**\*Response to re-consultation will be provided as an update\***

5.2 Cllr Eric Carter: Comment:

- Derelict brownfield site which is desirable rather than building on greenfield.
- The LGA/Gov promote low cost / affordable / social housing due to national shortage.
- With the % of affordable housing reduced on other sites in Newport, in many cases to 15%, the 100% is badly needed.
- Use of such sites encouraged in order for first time buyers in particular to access the housing ladder. The % of 25yr olds able to purchase home fallen from 46% to 20% over last 20yrs.
- Site close to, and within safe walking / cycling distance of most schools in Newport reducing the need to drive.
- Next to adjoining site with consent for housing, which will encourage greater use of public transport.
- Site is adjacent to recently approved extension of retail units on Audley Avenue Business Park which will provide employment in close proximity.
- Site only 10/15 minute walk from Newport Town Centre reducing need for car usage.
- Site alongside National Cycle Route 55 from Stafford and Newport on the former railway line, with access from the A41.

5.3 Urban Design – Initial response prior to amendment and reduction to up to 61 dwellings - Object:

- Acknowledged that revised layout is indicative only, it demonstrates how such numbers are likely to be accommodated and laid out as well as the potential implications.

- Whilst there is scope for the proposal to change, given the limitations of the site, it would seem difficult unless there is a significant change in approach.
- The desire to deliver so many units undermines the proposal in terms of its appropriateness and anticipated quality to a point where it seems unlikely to satisfy the relevant planning policy in its current form.

Response to amended scheme for up to 61 units: Support subject to consideration to some minor amendments including:

- Substitution of semi-detached dwellings in Plots 37-38 with apartments proposed in Plots 28-31 which would provide a dual aspect to the highway and avoid rear garden backing onto the highway at a prominent point. This would also provide some more context to the apartments in Plots 39-40 which at the moment appear somewhat isolated.

5.4 Arboriculture – No objection following reduction in numbers and removal of development in close proximity to RPA's of veteran Oaks subject to conditions:

- Landscaping design, to include planting plans and service plans into and out of the site,
- Tree Protective Fencing,
- Arboricultural Method Statement including Clerk of Works,
- TPO Suitable contractor

5.5 Ecology – No objection following reduction in numbers and provision of 1m off-set to protective fencing to create buffer zone for water voles subject to conditions:

- Buffer zone – Water vole,
- Ecological Survey – working in accordance with protected species survey,
- Erection of artificial nesting/roosting boxes,
- Habitat Creation and Management Plan,
- Landscaping Design,
- Lighting Plan,
- A Habitat Regulation Assessment has been completed concluding there is no likely significant effect on Aqualate RAMSAR site.

5.6 Drainage – Submitted modelling is broadly acceptable but further clarification required consisting of:

- Modelled flood extents to fully assess where the flood zones will affect the proposal,
- Removal of attenuation pond from modelled flood zones,
- Evidence that foul pumping station does not interact with flood zones.

- 5.7 Affordable Housing – Comment:
- Detailed dwelling schedule required as part of s106.
  - Most of the properties are small in type.
  - One bed houses with gardens would be preferable to walk-up flats.
  - Scheme could include provision of bungalows.
  - Preference for curtilage / driveway parking rather than courtyards.
  - Affordables should be in clusters of 6-8 with the tenures mixed.
- 5.8 Highways – No objection following revised indicative layout subject to conditions:
- Whilst the point of access is not under consideration, if achieves visibility then there would be no objection,
  - Changes to the turning head would need to be a simpler standard design,
  - The detailing of the first feature square should replicate the solution in the opposite corner,
  - Consideration needs to be given to kerbing, and
  - More detail will be required at Reserved Matters to demonstrate how speeds will be controlled (to a maximum of 20mph).
- 5.9 Pollution Control (Environmental Health) – Support subject to conditions:
- No development on Bank or Public Holidays
  - Construction hours
  - Post mitigation noise report
- 5.10 Contaminated Land (Environmental Health) – Support subject to conditions:
- Land contamination assessment
- 5.11 Healthy Spaces – Comment:
- Development would generate need for children’s play and recreation and no provision has been made on-site.
  - In accordance with T&WLP policies NE4 and NE5 an offsite contribution of £37,200 should be secured by a Section 106 to increase the capacity of the existing play area at Shukers Field, Newport. This demand is generated by the provision of two or more bedroom properties.
  - The following should be conditioned:
    - A long term landscape management plan,
    - Landscape detail, including access to publically accessible open space.

- 5.12 Education – Comment:
- A contribution of £228,911 (total) is required towards the changing room facilities projects at Newport Primary School (£165,371) and Burton Borough Secondary School (£65,540) to mitigate the impact of the development.
- 5.13 Severn Trent Water – Support subject to conditions:
- Submission of foul and surface water drainage plans.
- 5.14 Natural England – No objection as the proposal is unlikely to affect any statutory protected sites of landscapes. Natural England have not assessed this application for impacts on protected species and have provided Standing Advice for the Council's Ecologist to apply.
- 5.15 West Mercia Police - General advice provide in respect of Secure by Design principles.
- 5.16 Shropshire Fire Service - Consideration should be given to the information contained within Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications'.

#### Neighbour consultation responses

- 5.17 Direct notification was carried out to all adjoining and adjacent premises, together with advertisement by Press and Site notices. As a result of which, one letter of comment has been received raising the following:
- Questions how the developer plans to address the issue of the drain that runs within the site, if it is a pipe there would be a loss to wildlife and an open ditch would be better to support wildlife.

## **6.0 PLANNING CONSIDERATIONS:**

- 6.1 Having regard to the development plan policy and other material considerations, the planning application raises the following main issues;
- Principle of development
  - Matters reserved for latter approval
  - Impact upon highway safety
  - Impact on protected trees
  - Impact on protected species (water voles)
  - Other technical issues
  - Planning Obligations

## 6.2 Principle of development

- 6.2.1 Planning applications must be determined in accordance with the 'development plan' unless other material consideration indicate otherwise. The 'development plan' consists of the Telford & Wrekin Local Plan (T&WLP) 20011-2031. The Regulation 16 Consultation Version of the Newport Neighbourhood Plan (NNP) was published in 2017, and whilst a material consideration can only be given limited weight due to the stage of preparation. The National Planning Policy Framework is also a material planning consideration.
- 6.2.2 The site is unallocated, 'white land', located within the built up area of Newport as defined on the Newport Insert Policies Map. Policy SP2 (Newport) of the T&WLP supports the delivery of approximately 1,330 new homes in Newport up to 2031. Policy H1 of the NNP supports housing in order to meet local needs and where the proposal contributes positively to local character. T&WLP Policy HO5 requires the provision of a minimum of 35% affordable housing.
- 6.2.3 It is acknowledged that a large amount of Newport's housing needs have been met through a number developments that have already been approved and that any further development will be to meet the local requirement for new homes. The scheme will help to address the local affordable housing need through the delivery of a minimum of 35%% affordable housing and is therefore supported in principle.
- 6.2.4 The area surrounding the application site is subject to change with a housing scheme for up to 215 dwellings permitted in outline on the adjoining site and commercial development in the form of a Lidl foodstore, A1 non-food retail units, an A3 café/restaurant and a petrol filling station permitted on Audley Avenue Business Park. The site is located just over 800m (circa ½ mile) from Newport Town Centre, with Burton Borough Secondary School and Newport Junior School situated between the town centre and the site. The nearest bus stops are located on Meadow Road and Avenue Road both just over 1km (approx. 2/3 mile) from the site. As such the site is considered to be in a sustainable location.

## 6.3 Matters reserved for latter approval

- 6.3.1 This outline application has been submitted for the principle of residential development on the land edged red on the location plan. The amended application seeks permission for up to 61 dwellings and is supported by an Indicative Site Layout which demonstrates how such number are likely to be accommodated and laid out as well as the potential implications.

- 6.3.2 Whilst indicative, a lot of time and effort has been spend refining the layout in conjunction with the agent and Bromford Housing. The later are understood to be looking to acquire the site and have had significant input into the indicative layout with a view to submitting this layout as a Reserved Matter.
- 6.3.3 The net site developable area is 1.61 hectares and the density of a 61 unit scheme would be a maximum of 38 dwellings per hectare (dph).
- 6.3.4 It is acknowledged that this is a relatively high density. However this is not considered to be to the detriment of the character of the local area, which at present is commercial / industrial in nature but will shortly accommodate residential development on the adjoining Permission site. The dwelling per hectare density is also inflated by the provision of one bed apartments which increases the numeric density but not the amount of buildings on the site.
- 6.3.5 To put this in context, the density of Phase 1 of the adjoining Persimmon site (which excludes the future infrastructure to the north) would be 38.5 dph.
- 6.3.6 The indicative layout has been amended following the reduction in the number of units, which is now for up to 61 units as opposed to up to 68 and originally for up to 95. Officers would seek some further refinement of the layout at Reserved Matters but are satisfied that the site is capable of delivery somewhere in the region of up to 61 units without reliance on a regimented or monotonous appearance dominated by parking and hard surfacing. The amended scheme provides a more sinuous spine road with dwellings more informally laid out assisted by the introduction of two private drives running perpendicular to the estate road.
- 6.3.7 Subject to some further refinement of the proposal submitted at Reserved Matters, officers are satisfied this could deliver a high quality scheme with a good standard of amenity for future occupants in accordance with the requirements of Policy BE1 (Design Criteria) of the Telford & Wrekin Local Plan.

#### 6.4 Impact upon highway safety

- 6.4.1 Whilst access is a reserved matter, there is no objection to the site access off Audley Avenue subject to the provision of sufficient visibility. The linear spine road has been made more sinuous, with feature squares used to naturally restrict vehicular speeds although more detail will be required at Reserved Matters to demonstrate how speeds will be controlled preferably to a maximum of 20mph.
- 6.4.2 The indicative layout provides 122 car parking spaces for the 61 dwellings shown. The site is more than 800m of the edge of the Newport Town Centre boundary meaning it falls with the 'Suburban Area' as defined in Appendix F. Parking Standards. As such the following standards would be applicable:

- 1.3 spaces per one bed dwelling,
- 1.6 spaces per two bed dwelling, and
- 2.3 spaces per three bed dwelling.

6.4.3 Accordingly, the scheme as shown indicatively would require the provision of 113 spaces calculated using the following method and this ensures potentially adequate provision:

- 8 spaces for 6 one bed dwellings,
- 50 spaces for 31 two bed dwellings, and
- 55 spaces for 24 three bed dwellings.

6.4.4 Some concern has been noted regarding vehicles having to right turn onto the A518 out of Audley Avenue. However, this junction was deemed acceptable to serve the 215 dwellings on the adjoining site which received consent in 2011 together with a 3000sqm employment building on the application site. Moreover, the Council has secured LEP funding to construct a four-arm island to replace the priority junction to serve the allocated employment site (E27) so the physical make-up of the local highway network will change shortly. Notwithstanding these changes, there is no empirical data to demonstrate that the existing network is not capable of safely accommodating the traffic associated with the residential development of this site.

6.4.5 Cllr Carter has outlined that the location of this site adjacent to the Permission site which has outline for up to 215 dwellings will encourage greater use of public transport. This neighbouring scheme secured a financial contribution towards a subsidised town centre bus service which the occupants of the Parkland House site will be able to use. Moreover the east and west of Station Road scheme (TWC/2011/0871), located across Audley Avenue also secured money for an enhanced bus service. Prior to establishment of these services the closest bus stops would be on Meadow Road or Avenue Road, both just under 1km.

## 6.5 Impact on protected trees

6.5.1 There are three, 150 year old, mature oak trees (T5-7) subject to Tree Preservation Orders located along the north-west boundary which are situated on the adjoining site. In addition there is a protected Alder (T4) close to the north-east boundary with the A41 in an area proposed for Public Open Space (POS).

6.5.2 The scheme has been amended to provide an acceptable stand-off from these trees with the dwellings previously sited to the east omitted. The indicative scheme illustrates a two storey apartment block (Plots 39 and 40) containing 4 one-bed units to the north-east of the most northerly tree. Officers retain some concern regarding the outlook from the windows in the

rear elevation particularly the units in the southern half of the building. However this could be mitigated through internal design with bedrooms and bathrooms sited in the rear.

6.5.3 The amendment address concerns regarding a requirement for cut and fill in this area adjacent to the root protection area of the veteran Oak with the applicant confirming the apartment block would be built off the existing level. Indicative sections have been submitted to evidence this and there would be a requirement for further details at reserved matters. Furthermore, the concerns regarding branches and litter drop have been addressed as this would form part of the amenity green space of the development rather than a private garden for dwellings as previously proposed.

6.5.4 Following amendment Officers are content that the indicative scheme could be constructed without an adverse impact on the status of aged and protected trees in accordance with the requirements of Policy NE2.

#### 6.6 Impact on protected species (water voles)

6.6.1 The indicative scheme has been amended to provide a 1 metre off-set adjacent to the 5m exclusion zone parallel with the top of the watercourse which contains a colony of water voles. This satisfies Officers concerns that the side elevation of the build development could be constructed adjacent to the easement which could be maintained as a 'no access zone'.

6.6.2 Following amendment Officers are content that the indicative scheme could be constructed without an adverse impact on the biodiversity value of the breeding population of water voles in the stream in accordance with the requirements of Policy NE1.

#### 6.7 Impact on residential amenity

6.7.1 There are no existing neighbouring residential properties at present as the site is surrounded by industrial uses. Sufficient garden depths have been provided to the north-western boundary to ensure that adequate separation distances can be achieved between the dwellings proposed on this site and those proposed on the adjoining site, upon which Reserved Matters are under consideration.

6.7.2 As such the amenity in question relates to the proposed properties. The applicant omitted 27 dwellings located in the north-eastern section of the site as the noise levels from the A41 could not be mitigated to an acceptable level in the gardens. Other sources of noise include Lineal Construction, a waste recycling facility, adjacent to the south-east boundary, together with existing and proposed commercial and industrial units on Audley Avenue.

6.7.3 An amended noise report was produced to assess the amended scheme which confirms that the erection of standard 2m high close boarded fence

around the gardens of the properties will ensure that the external noise levels will fall within the guidelines of the relevant British Standard. The effectiveness of the noise mitigation measures will be validated by a post development, pre-occupation noise report, which will require any additional work if necessary. It is accepted that occupants of the site will not be exposed to any unacceptable levels of noise generated outside of the site.

6.7.4 Notwithstanding noise, officers previously had concerns in respect of the adverse amenity that occupants of the proposed dwellings would be subjected to. These included the dominance of the protected oaks over the gardens of Plots 35-41, the poor acoustic environment created by the sea of frontage parking with little or no landscaping and the proximity of the dwellings fronting Audley Avenue. However, these have all been addressed by the amended indicative layout and officers are content that the scheme is capable of providing good standard of amenity for future occupants at Reserved Matters stage in accordance with the requirements of Policy BE1 to contribute positively to making places better for people.

## 6.8 Other technical issues

6.8.1 As confirmed by the consultation responses above, issues of drainage can be dealt with by the submission of additional information prior to determination with land contamination controlled through the imposition of conditions.

## 6.9 Planning Obligations

6.9.1 In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development;
- c) Fairly and reasonably related in scale and kind to the development.

6.9.2 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.

6.9.3 This development would generate the need for children’s play, education and affordable housing. As such, any approval would require the following contributions via a s106:

- Healthy Spaces - £33,000 to increase capacity of existing children’s play area at Shukers Field, Newport. (720 metres along Audley Avenue).

- Affordable Housing - 35% of units proposed at Reserved Matters with a tenure split of 80% social or affordable rented and 20% shared ownership (with a minimum 25% initial equity stake).
- Education - £201,803 (total) towards the changing room facilities projects at Newport Primary School (£145,788) and Burton Borough Secondary School (£56,015) to mitigate the impact of the development.

6.9.4 It is considered that the financial contributions are acceptable and in accordance with HO5, NE4, NE5 and COM1 of the Telford & Wrekin Local Plan.

## **7.0 CONCLUSION**

7.1 The principle of residential development on this brownfield site within the Newport boundary is supported as it would involve the reuse and regeneration of previously developed, brownfield land located in a sustainable urban location on the edge of Newport. The proposal is capable of providing a safe access onto Audley Avenue with no detrimental impact on the local highway network.

7.2 Following amendment to the indicative layout, Officers are satisfied that in principle the site is capable of providing up to 61 residential units without resulting in a cramped and contrived layout and appearance. Amendments to the indicative streetscene reduce the dominance of hard surfaced parking areas which could be softened with landscaping. This will be beneficial to the acoustics of the scheme with the soft landscaping mitigating any reverberation along the main access. Subject to some further refinement the scheme could result in a high quality design and a good standard of amenity for future occupants.

7.3 Facilitated by a reduction in the number of units, the indicative layout has removed development, including retaining walls, from within close proximity of the root protection areas of veteran oak trees. The applicant has agreed to conditions requiring the installation of protective fencing around the RPA's prior to any machinery entering the site which would remain in place for the duration of the proposed works. Confirmation has been received that there is no requirement for cut and fill in the area surrounding the most northerly tree. The indicative proposal is now deemed acceptable as it provides appropriate protection and future management of the existing veteran Oaks.

7.4 The amended indicative layout now provides a 1 metre off-set to the protective fencing that would run 5 metres parallel to the top of the watercourse. This provides room for construction without encroachment into the protected area which would have had an adverse impact on water voles a statutory protected species. Accordingly, Officers are satisfied that a development of up to 61 units could be delivered without an adverse impact on statutory protected species. Moreover, the provision of the off-line attenuation pond will enhance the ecology value of the site, this would be subject to a

7.5 Technical issues relating to drainage, land contamination and noise from the adjoining Lineal Construction site and A41 can be satisfactorily dealt with by condition.

## **8.0 RECOMMENDATION**

8.1 Based on the conclusions above, it is recommended that DELEGATED AUTHORITY be GRANTED to the Delivery Management Service Delivery Manager to GRANT OUTLINE PLANNING PERMISSION subject to;

A) The submission of satisfactory drainage information,

B) The applicant/landowners entering into a Section 106 Agreement with the Council (with indexation applicable to contributions from the date of committee resolution to grant outline permission), terms to be agreed by the Development Management Service Delivery Manager, relating to:

### **(i) Children's Play Space**

- £33,000 to increase capacity of existing children's play area at Shukers Field, Newport.

### **(ii) Affordable housing**

- 35% of units proposed at Reserved Matters with a tenure split of 80% social or affordable rented and 20% shared ownership (with a minimum 25% initial equity stake).

### **(iii) Education**

- Contributions (£201,803 total) towards the changing room facilities projects at Newport Primary School (£145,788) and Burton Borough Secondary School (£56,015) to mitigate the impact of the development.

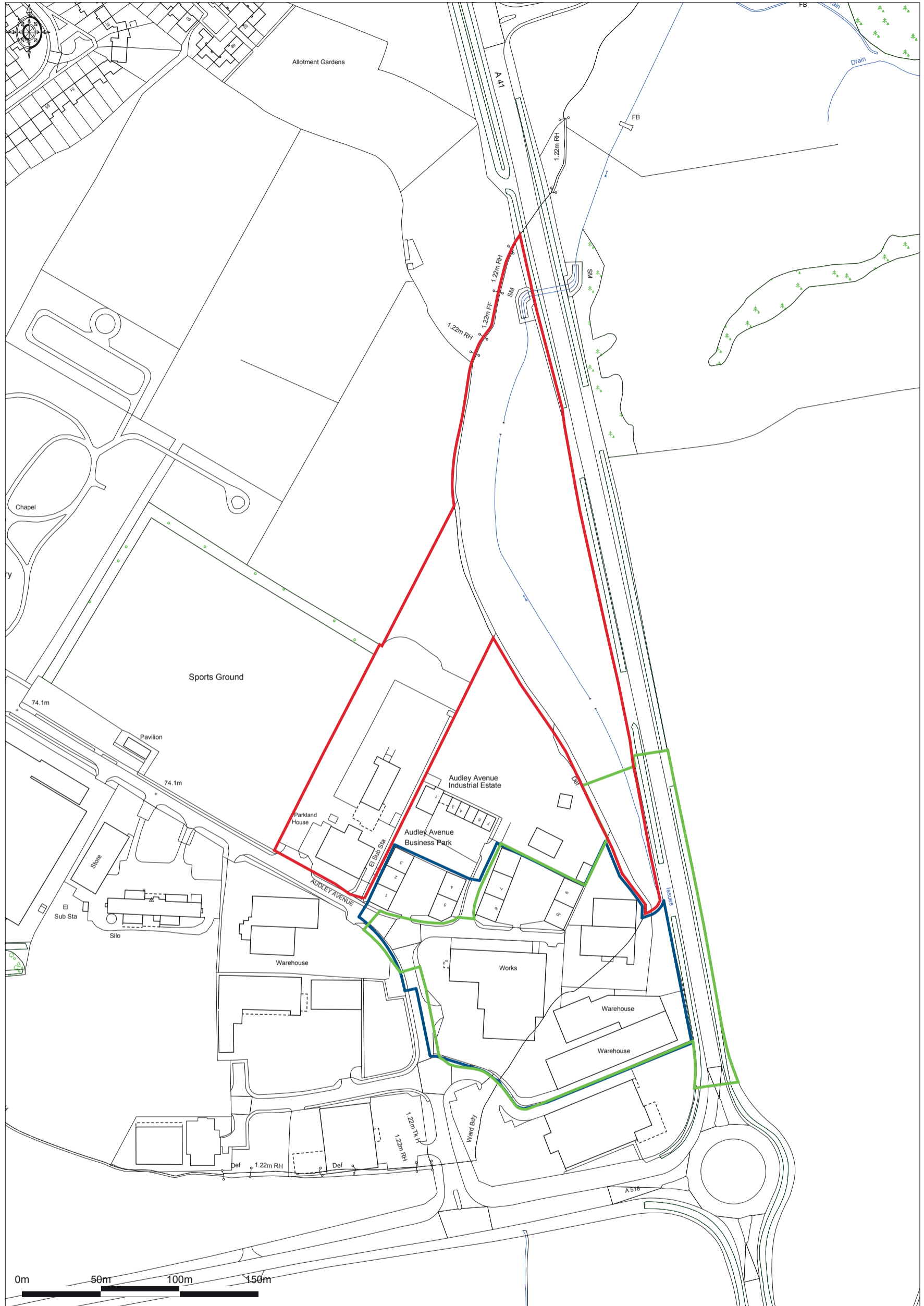
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48.B149	Buffer zone – Water Vole
49.B150	Site Environmental Management Plan
50.C040	No approval of layout
51.C071	Soil levels
52.C050	Completion of noise attenuation
53.C079	Tree Preservation Order Suitable Contractor
54.C091	Works in accordance with ecological survey
55.C109	Erection of artificial nesting/roosting boxes
56.C109	Lighting Plan
57.C38	Development in accordance with plans
58.D11	Construction hours
59.D11	No development on Bank or Public Holidays
60.D01	Removal of all permitted development

### Informatives

I06	Section 106 agreement
I11	Highways – Works within highway S278
I32	Fire Authority
I35	Internal road layout
I36	Street name and numbering
I40	Conditions
I44	Reasons for Outline Consent
RANPPF2	Approval following amendment – NPPF



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Licence number 100020449. Plotted Scale - 1:2500

**Key**  
— Site boundary  
— Land under applicant's ownership

**Project** Land at Audley Avenue, Newport  
**Title** Site location plan  
**Client** Audley Avenue Business Parks

**LPA** Telford & Wrekin Council  
**Date:** 08.06.16  
**Scale:** 1:2500@A3  
**Project No:** 14780014  
**Drawing No:** 14780014/01  
**Drawn By:** TH

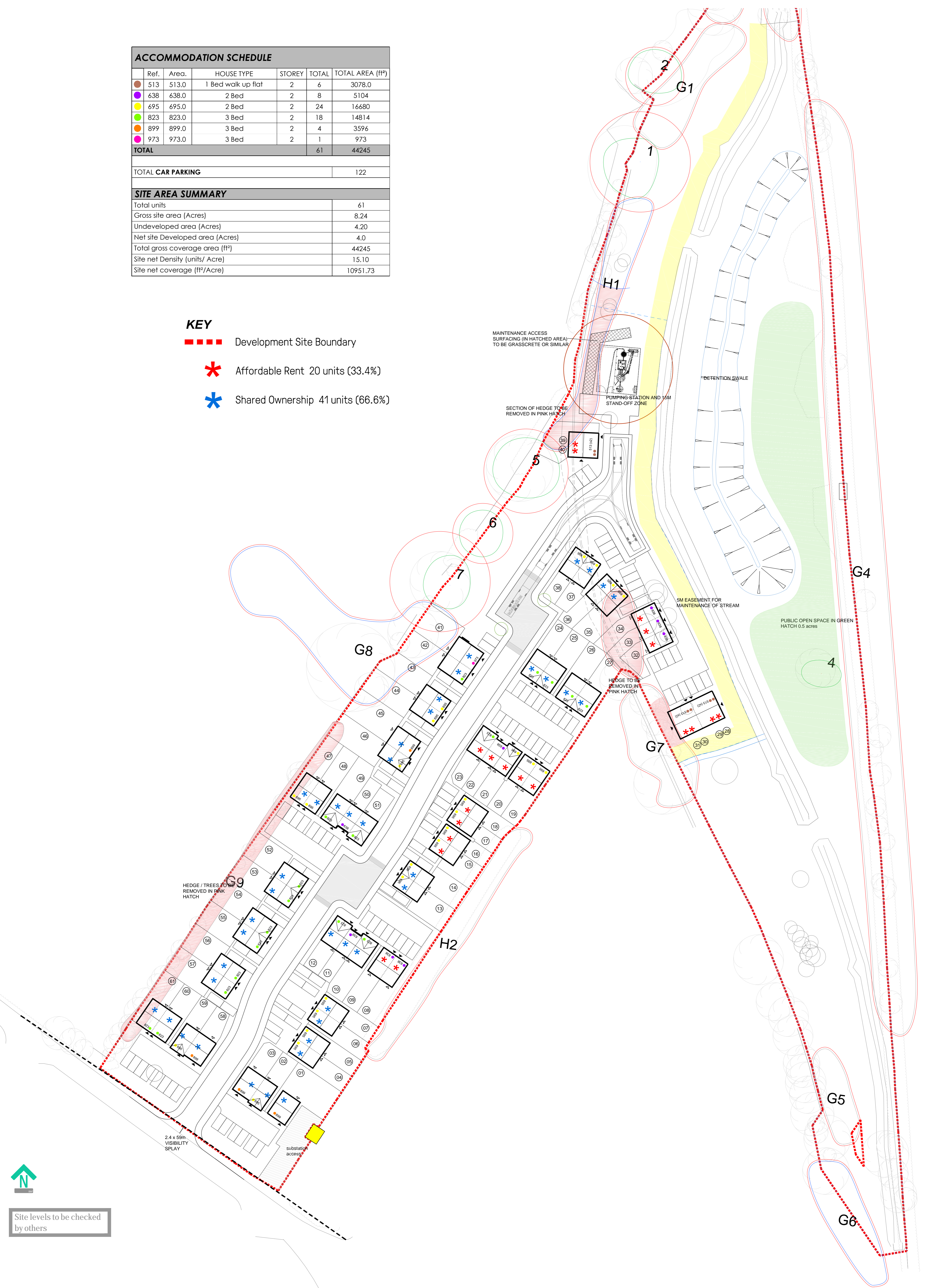
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ACCOMMODATION SCHEDULE					
Ref.	Area.	HOUSE TYPE	STOREY	TOTAL	TOTAL AREA (ff <sup>2</sup> )
513	513.0	1 Bed walk up flat	2	6	3078.0
638	638.0	2 Bed	2	8	5104
695	695.0	2 Bed	2	24	16680
823	823.0	3 Bed	2	18	14814
899	899.0	3 Bed	2	4	3596
973	973.0	3 Bed	2	1	973
<b>TOTAL</b>				<b>61</b>	<b>44245</b>
<b>TOTAL CAR PARKING</b>					122
SITE AREA SUMMARY					
Total units	61				
Gross site area (Acres)	8.24				
Undeveloped area (Acres)	4.20				
Net site Developed area (Acres)	4.0				
Total gross coverage area (ff <sup>2</sup> )	44245				
Site net Density (units/ Acre)	15.10				
Site net coverage (ff <sup>2</sup> /Acre)	10951.73				

**KEY**

- Development Site Boundary
- \* Affordable Rent 20 units (33.4%)
- \* Shared Ownership 41 units (66.6%)



Site levels to be checked by others

Notes - Copyright in this drawing remains the property of BMS Architecture Limited. - Do not scale this drawing. - Work to signed dimensions only. - Contractors and consultants are to advise BMS Architecture Limited of any discrepancies.	Revision Q. Plots 33 - 45 repositioned. Mix changed. R. Redrawn. S. Tree group G9 indicated for removal. T. Redrawn. U. Amendments to road hammer head, tracking added, redrawn generally at northern end of site (2 plots omitted), change to mix of sales units. Vis splay noted. V. Amendments to northern end of site. 1 plot gained (now total = 61). W. Plots 15-27 re-planned. Plots 37, 38 repositioned. Road chicanes amended.	Date 22/03/18 09/04/18 13/04/18 31/05/18 01/06/18 04/06/18 19/06/18	By IDF IDF IDF IDF IDF IDF	Chkd - - - - - -	Project LAND AT AUDLEY AVENUE NEWPORT TELFORD	Drawing PROPOSED SITE LAYOUT	Client Bromford Group	Scale 1:500@A1	Dated 06.06.17	Job No. 53090	Drawing No. D02	Drawn by RB	Checked IF	GISB Element FEASIBILITY	Revision W



TWC/2017/0972

Site of Greenfields Farm, Brockton, Newport, Shropshire  
Erection of 4no. dwellings and double garage with granny annexe above following  
demolition of various outbuildings \*\*\* Amended information \*\*\*

**APPLICANT**

Origin Architects Ltd, Tim Warner

**RECEIVED**

29/11/2017

**PARISH**

Church Aston, Lilleshall

**WARD**

Church Aston and Lilleshall

**OFFICER** Andrew Gittins

OBJECTIONS RECEIVED: Yes

**1. PROPOSAL**

- 1.1 This is a full application for the erection of four houses and a double garage (with annexe above) following the demolition of existing various outbuildings at Greenfields Farm, Brockton, Telford.
- 1.2 The Application Form describes the proposed development as “one open market dwelling and three rental eco houses, and double garage granny annexe”. However, the Agent confirmed in an email of the 13<sup>th</sup> October 2017 that the Applicant accepted the Council’s amended description of development as stated above.

**2. SITE AND SURROUNDINGS:**

- 2.1 The application site is Greenfields Farm also known as Warner’s Roses and formerly Greenfield’s Poultry Farm. The site consists of a rose farm, an open meadow and a single storey dwelling with various outbuildings.
- 2.2 The site is within the Rural Area as defined by Policies Map of the Telford & Wrekin Local Plan and is situated 5 miles north of Telford Town Centre and 2 miles south west of Newport Town Centre. The site is accessed off Longford/Edgmond Road just west of the bridge which forms part of the disused railway.
- 2.3 The site is roughly rectangular in shape and comprises a rose field and glass house to the front of the site, the existing dwelling house and domestic curtilage roughly central to the site with a range of outbuildings behind and a second rose field and grassland beyond. There is a single track driveway providing vehicular access running along the right hand side of the site. The

right (south east) boundary is formed by an embankment associated with the disused railway line, the left (north west) boundary is formed by the Strine Brook which is lined by mature trees. There are various sections of post and rail and post and wire fencing and 5-barred gates and numerous trees (including ones which are TPO'd) within the site and the rear of the site backs onto open countryside, and the front of the site is screened from the public highway by mature trees and hedging. The closest neighbour to the right is located on the other side of the old railway embankment and the closest neighbour to the left is on the other side of the brook.

### **3. RELEVANT PLANNING HISTORY:**

#### **3.1 Planning applications:**

- TWC/2011/0811: Erection of 14no. age-restricted dwellings and garages to include 4no. affordable dwellings together with associated gardens/allotments and erection of 1no. double garage to be used in conjunction with the existing dwelling. Refused: 01/09/2011. Appeal dismissed: 16/10/2012.

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

4.1 National Planning Policy Framework (the NPPF): The NPPF is not the development plan for Telford & Wrekin but it is a material consideration.

#### **4.2 Telford & Wrekin Local Plan (2011 - 2031)**

- SP3 Rural area
- SP4 Presumption in favour of sustainable development
- HO1 Housing requirement
- HO10 Residential development in the rural area
- NE1 Biodiversity and geodiversity
- NE2 Trees, hedgerows and woodlands
- C2 Safeguarding rail and transport links
- C5 Design of parking
- BE1 Design Criteria

- ER2 Mineral safeguarding
- ER12 Flood risk management

#### 4.3 Lilleshall Parish Neighbourhood Plan (Regulation 17) (2018 - 2031)

The LPNP has been submitted to TWC and is at the examination stage. It does not yet form part of the development plan and can only be afforded limited weight at this stage. The following policies are considered relevant to this proposal:

- DEV2 Merging of settlements
- D1 Sympathetic design
- D2 Sustainable design
- LE2 Ecology and landscape
- LE3 Strategic landscape areas
- TA1 Linkages and connections

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

### 5.1 **Standard consultation responses**

#### 5.1.1 Lilleshall Parish Council: Object:

- (1) Demand – there has been no survey carried out to ascertain if there is demand for holiday lets within the area, it is also the Council's belief that a number of holiday lets within the village of Lilleshall were sold off as there was not enough take up with them to sustain a going business.
- (2) Access – the proposed access to the site is close to a railway bridge where larger vehicles must drive in the centre of the road to avoid collision. There is also a very sharp bend close to the site, where there would need to be some form of traffic calming installed to allow the safe access to and from the site. The access road on the site is designed for a low volume of traffic and any new road should be porous. The lane has no footpath, therefore anyone wanting to catch public transport would need to walk along this already dangerous stretch of road.
- (3) Parking – there is insufficient parking on the site for the proposed type of use, i.e a four-bedroom holiday let will require more than one parking

space per unit. The designs proposed for garages is more suited to urban areas and not that of rural settings / design.

- (4) Remoteness – with no on site facilities anyone taking up residence in the proposed site will have to drive to local amenities adding to the number of times vehicles access the site.
- (5) Footprint - the built-up footprint of the four houses appears to around 1760 sq.m. This is about 0.4acres (Hardly a small development). As the proposed dwellings stand at 2.0m above the adjacent railway embankment, they are clearly visible from surrounding properties and from Lilleshall Hill. This does not conform with NP Policy DEV 3.
- (6) The proposal does not comply with NP Policy Dev 2, due to its impact upon the adjacent SLA.
- (7) Flood risk - the Headford Brook is a flood risk along its full length, and part of the proposed site is a Level 3 Flood risk. Whilst the site appears to be raised to alleviate flood risk to the new properties, development will increase the level of risk to other neighbouring sites.
- (8) Use - The proposal is for holiday homes. This is extremely unlikely, as holiday accommodation rarely provides garage parking, and certainly does not include an “Office/Live-Work & Workshop”. It is obvious that these are open market houses. Again, this does not comply with NP Policy DEV 2. This proposal is an expensive project and we feel that it would quickly be followed by a request for change of use.
- (9) Environmental Survey - The reliance of the existing survey published in 2012 cannot be considered as a valid report due to its age.

#### 5.1.2 Environmental Services (Drainage) - Object.

The design and Access Statement falsely states that the development site is in Flood Zone 1. As the site is in areas of Floodzone 2 and 3, a full Flood Risk Assessment (FRA) is required in line with the requirements of Section 103 of the National Planning Policy Framework. The FRA should identify the level of flood risk to the site and direct new development towards appropriate areas. Until this information is submitted, we would not be willing to support this application.

#### 5.1.3 Environmental Services (Arboricultural) - Object.

The information supplied within the application is not a BS 5837 Tree Survey and is therefore not planning policy compliant. Section 6.2.4 of Policy NE2 of the Telford & Wrekin Local Plan 2011-2031 outlines that an arboricultural impact assessment will be required to be submitted with planning application where trees are present. Insufficient evidence has been submitted in support of the application to demonstrate that there would not be an unacceptable impact from the proposed development in relation to trees and in particular, to the TPO'd trees on the site.

#### 5.1.4 Highways – Comment:

A large proportion of the proposed refuse lorry pull in/bin store is located within the adopted highway. Whilst there is no objection to a refuse lorry stopping there due to good visibility in both directions, it has been requested that an amended plan is submitted which omits this arrangement as the current scheme involves too much encroachment into the adopted highway.

#### 5.1.5 Ecology – No objection.

#### 5.1.6 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" document.

#### 5.1.7 West Mercia Police – No objection subject to conditions:

No objection subject to a condition requiring the applicant to aim to achieve Secured by Design.

## 5.2 Neighbour consultation responses

5.2.1 Notification letters were sent to the occupiers of four properties within close proximity of the site. As a result four letters of objection have been received from three separate addresses and an anonymous letter of objection has also been received. The letters of objection raise the following concerns:

- There are concerns that the applicant is trying to establish a right of way through the tunnel onto the land which is associated with 'The Gables'. Permission for access will not be granted.
- Concerns regarding encroachment on to the land owned by the owner of 'The Gables'.
- Concerned that the proposed tree planning on the site will interfere with the sunken utility cables on the site.
- The Design and Access Statement accompanying this application states *'There is an arched way through at ground level which would be fully maintained and renovated, affording pedestrian access through the embankment to the next field.'* This access will not be granted by the

landowners and there is some concern over use of the embankment, as ownership of the land need to be established.

- This application was submitted without the approval of the owner of the property.
- The proposed buildings are out of character with the setting, due to both their intrusive size and design.
- The applicant claims that they will be unobtrusive. This appears to be untrue, as the stand over two metres above the adjacent railway embankment, and would be clearly visible from the main A518 and properties in Barrack Lane.
- The Sight Line drawing shows the straight line view towards Brocton runs through the hedge line and therefore visibility of traffic on this nearside lane is restricted. The issue is not clarified by the photographs, as one is clearly taken from a well into the traffic lane. The only way this problem could be resolved would require substantial cutting back of the hedgerow, along with a regular maintenance regime to ensure safe sighting.
- The flood attenuation proposals fall short of what is really necessary to remove flood risks. The deflection pond is designed to offset the loss of flood plain due to filling below the housing footprint. This proposal makes no provision for loss of flood plain as a consequence of infill above existing ground level to create the site profile shown on Section B-B, C-C, D-D and E-E. Nor is there any allowance for increased risk due to global warming factors.
- The application also mentions planting of trees on the old railway embankment. The ownership of this land needs to be established.
- The development is considered to be a blight on the area which should be retained solely for agricultural purposes.
- The proposed designs of the houses are modern and will be detrimental to the intrinsic character and beauty of Brockton and the surrounding countryside.
- The proposed dwellings would be more suited to an urban area.
- The proposed dwellings are three stories high which is in contrast to the existing property on the site which is a bungalow.
- The proposed dwellings would urbanise this particular area and would harm the character and appearance of this largely undeveloped area of the countryside.

- The statement that the proposed dwellings will not be visible to neighbouring properties is not strictly accurate and they would be visible between September and April.
- Just because the proposal will not generally be visible to the public, this is not an acceptable reason to build in the countryside.
- Whilst the applicant outlines that the site falls within the Environment Agency Flood Zone 1 and does not flood, there are often large quantities of water in the neighbouring field for prolonged periods of time after medium/heavy rainfall.
- Edgmond Road is prone to flooding under the Edgmond Bridge and as a result, the highway has to be closed until the flooding has cleared.
- The additional development needs to be carefully considered in respect of both increasing the incidence of potential flooding and the resulting traffic congestion.
- 3 of the units will be let as holiday let properties and it is considered that there is not a local demand sufficient to justify this development.
- It is considered that the size of the proposed development (maximum occupancy of 34 people across the 4 properties) and its use is not appropriate for this location.
- The proposed rooftop areas and balconies are out of character with the surrounding area and will cause harm and disturbance to surrounding wildlife.
- The erection of a bin store would not be sympathetic to the environment and would indicate the presence of the associated development. It is considered that this facility would be inappropriate for this location.
- There is a TPO located on the site, which is in very close proximity to the drive.
- The mains water supply for the existing property is located at the mouth of the driveway and is a shared supply with a neighbouring property. Any development in this area would need to be undertaken with caution.
- It appears that there intends to be a caravan site on the land at the front of plot one. This would be out of character to the local area and put additional pressure on the public highway and services.
- The proposed scheme would harm the wildlife within the locality.

## 6. 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 housing
- Density, layout, scale and design
- Impact on the flood risk
- Highways, access and parking

### Principle of housing

6.2 Section 38(6) of the Planning and Compulsory Act (2004) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Brockton is not a settlement identified to receive open market housing in the Telford & Wrekin Local Plan Policy under HO10. The site is therefore located in the rural area, where residential development is strictly controlled in the Local Plan. The proposal is not one of the exceptions listed in policy HO10. As such this housing proposal is contrary to the Development Plan.

### Density, layout, scale and design

6.3 Policy BE1 of the Telford & Wrekin Local Plan 2011-2031 outlines that development should respect and respond positively to its context and should enhance the quality of the local built and natural environment.

6.4 Given the location of the site, the property which is located closest to the site is a modest 20<sup>th</sup> century bungalow which offers little architectural merit. It is therefore considered difficult for the applicant to take architectural cues from this property.

6.5 The properties which have been proposed are modern in design and whilst they are not of the same design as the existing bungalow on the site, officers would not consider this to be a reason for refusal.

### Impact on the flood risk

6.6 The Council's Drainage Engineers have objected to the scheme.

6.7 Part of the site falls within Floodzone 2 and 3, and as such a Flood Risk Assessment is required, in line with the requirements of paragraph 103 of the National Planning Policy Framework.

6.8 Whilst the applicant has provided the Local Planning Authority with a plan

entitled 'Flood Risk Assessment', it is considered that this does not provide adequate information and as such, this does not provide the Council with sufficient evidence that the site can be adequately drained and that flooding will not be an issue on the site.

- 6.9 Given the lack of information, officers are not satisfied that the site can be adequately drained. As such, the proposal is considered to be contrary to Policy ER12 of the Telford & Wrekin Local Plan 2011-2031 and paragraph 103 of the National Planning Policy Framework.

#### Highways, access and parking

- 6.10 The Local Highways Authority have noted that the area proposed to form the refuse lorry pull in/bin store is largely located within the adopted highway.
- 6.11 It has been requested that an amended plan is submitted which removes this arrangement and that the applicant undertakes improvements to the existing access and provides a bin store within the vicinity. This revised plan has not been submitted to the Local Planning Authority.
- 6.12 As such, officers do not consider that the comments raised by The Local Highways Authority have been satisfactorily addressed by the applicant as the proposed arrangement would still involve too much encroachment into the adopted highway. Whilst not a reason for refusal, this use of adopted highway would not be permitted and the proposal could not be implemented.

## **7. CONCLUSIONS**

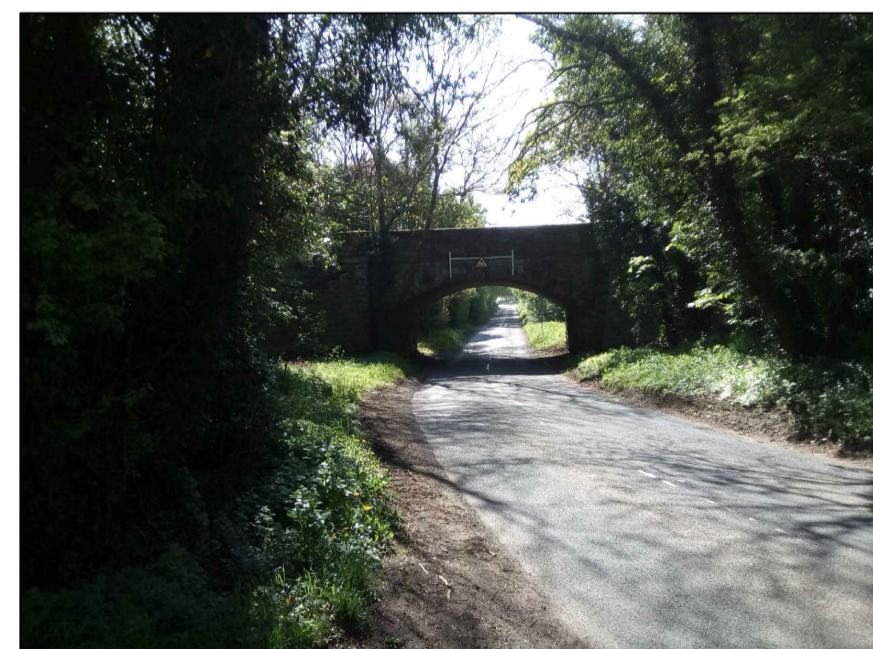
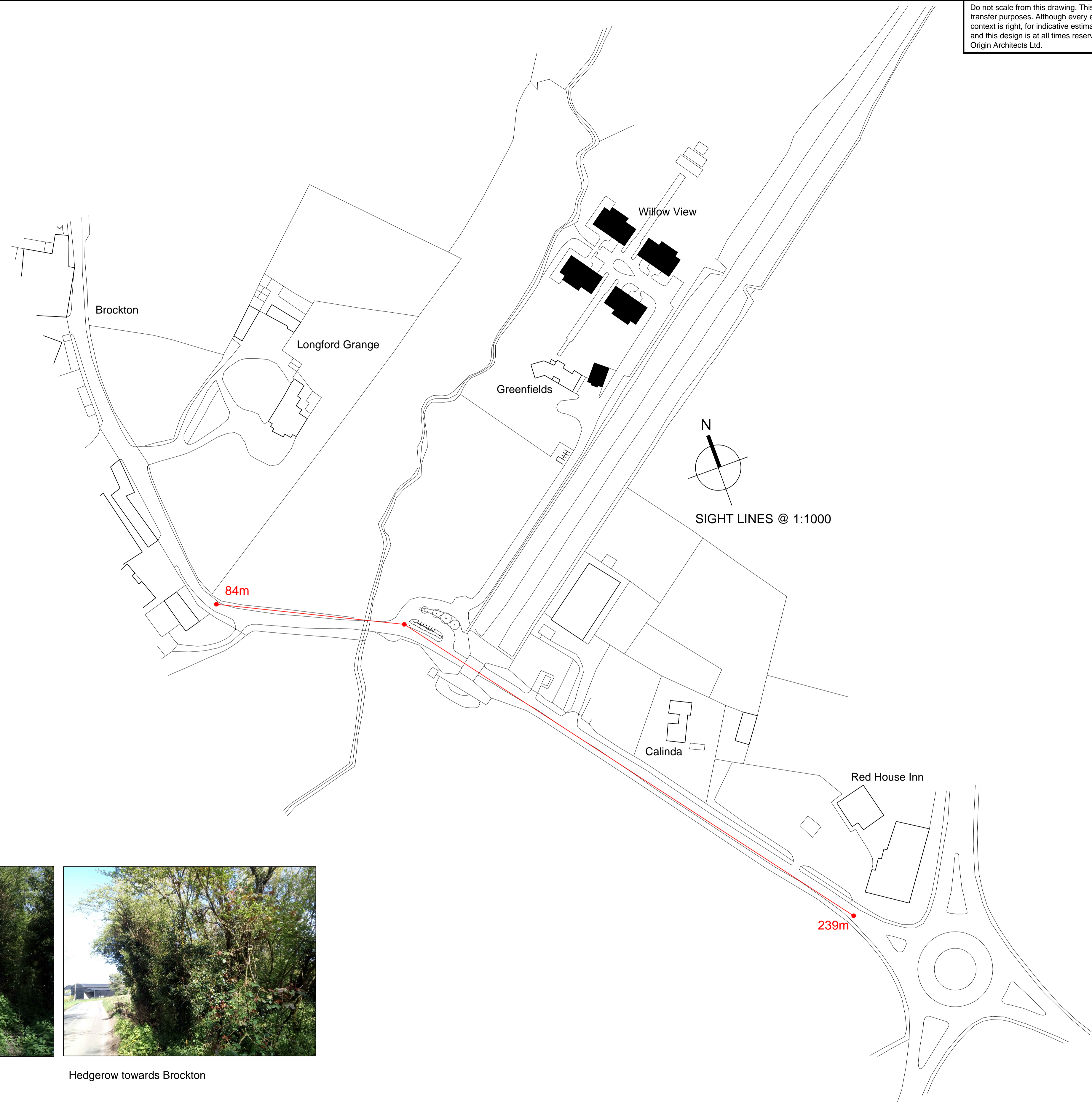
- 7.1 The principle of residential development is strictly controlled within the rural and as the proposal has not sought to demonstrate that it meets one of the exceptional criteria it is deemed contrary to the settlement strategy and Telford & Wrekin Local Plan policy HO10.
- 7.2 A Flood Risk Assessment has not been supplied as part of this planning application as required under Section 103 of the National Planning Policy Framework and as such, officers cannot conclude that the site can be adequately drained and will not be at risk from flooding. As such, the proposal is contrary to Telford & Wrekin Local Plan Policy ER12.

## **8. RECOMMENDATION**

Based on the conclusions above, the recommendation to the Planning Committee on this application is to **REFUSE PLANNING PERMISSION** for the following reasons:

1. The proposal is located in the rural area where residential development will be strictly controlled in line with the overall strategy to limit development outside existing urban areas and identified villages, of which Brockton is not one. The proposal is therefore contrary to Telford & Wrekin Local Plan Policy HO10.
  
2. The Local Planning Authority cannot conclude that the site can be adequately drained and will not be prone to flooding, due to a Flood Risk Assessment not being submitted as part of the application contrary to the advice in Section 103 of the National Planning Policy Framework.

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View towards Red House Inn Roundabout



View towards Brockton



Hedgerow towards Brockton



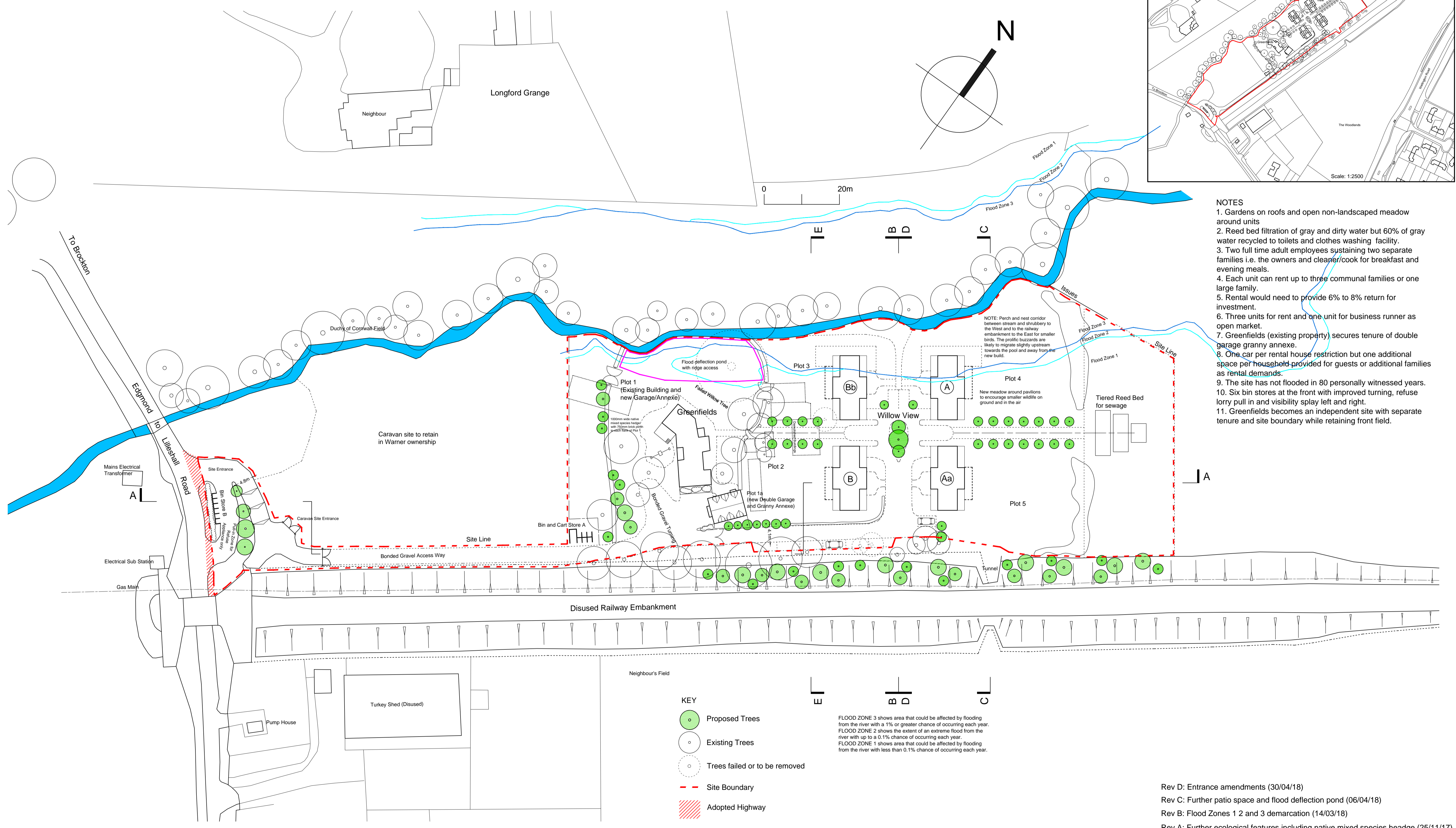
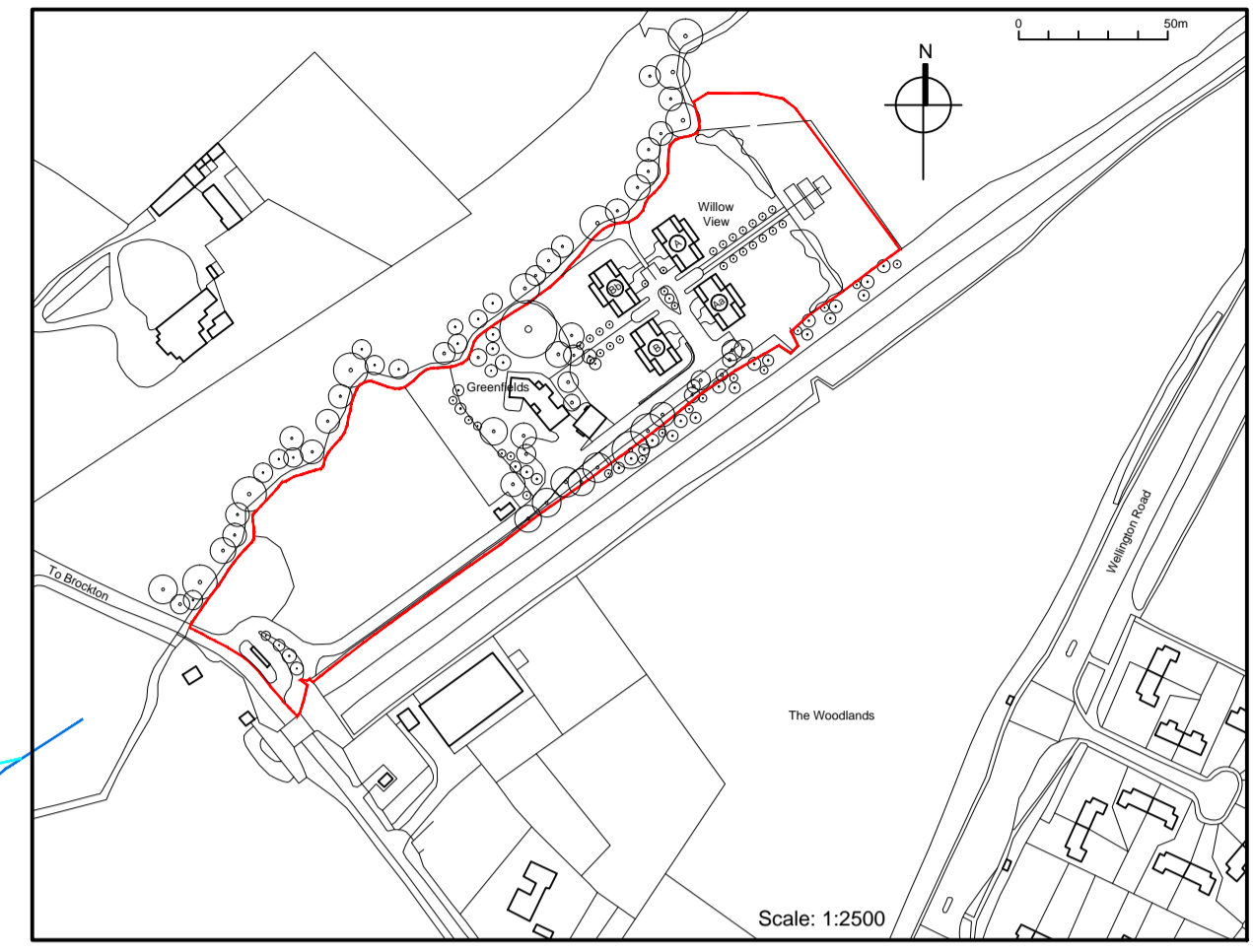
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**Project:** Willow View, Greenfields, Brockton, Newport, Shropshire, TF10 9EP  
**Subject:** Sight Lines and Contextual Photographs

Project Number: **J030215**  
 Drawing Number: **WV(3)112**  
 Date: May 2018 Scale: 1 to 1000 @A1  
 Revision: Designed by TW Drawn by PRA

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- NOTES**
- Gardens on roofs and open non-landscaped meadow around units
  - Reed bed filtration of gray and dirty water but 60% of gray water recycled to toilets and clothes washing facility.
  - Two full time adult employees sustaining two separate families i.e. the owners and cleaner/cook for breakfast and evening meals.
  - Each unit can rent up to three communal families or one large family.
  - Rental would need to provide 6% to 8% return for investment.
  - Three units for rent and one unit for business runner as open market.
  - Greenfields (existing property) secures tenure of double garage granny annexe.
  - One car per rental house restriction but one additional space per household provided for guests or additional families as rental demands.
  - The site has not flooded in 80 personally witnessed years.
  - Six bin stores at the front with improved turning, refuse lorry pull in and visibility splay left and right.
  - Greenfields becomes an independent site with separate tenure and site boundary while retaining front field.

- KEY**
- Proposed Trees
  - Existing Trees
  - Trees failed or to be removed
  - Site Boundary
  - Adopted Highway

FLOOD ZONE 3 shows area that could be affected by flooding from the river with a 1% or greater chance of occurring each year.  
 FLOOD ZONE 2 shows the extent of an extreme flood from the river with up to a 0.1% chance of occurring each year.  
 FLOOD ZONE 1 shows area that could be affected by flooding from the river with less than 0.1% chance of occurring each year.

- Rev D: Entrance amendments (30/04/18)
- Rev C: Further patio space and flood deflection pond (06/04/18)
- Rev B: Flood Zones 1 2 and 3 demarcation (14/03/18)
- Rev A: Further ecological features including native mixed species headge (25/11/17)

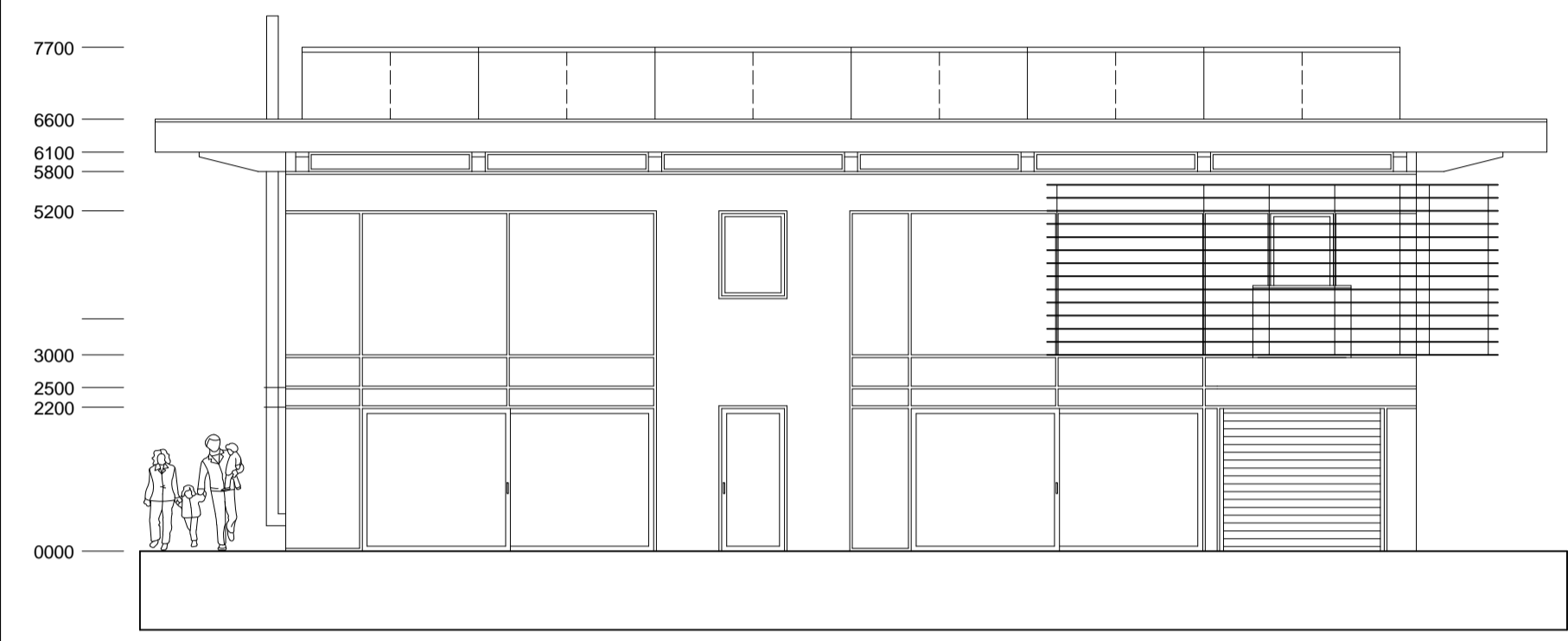


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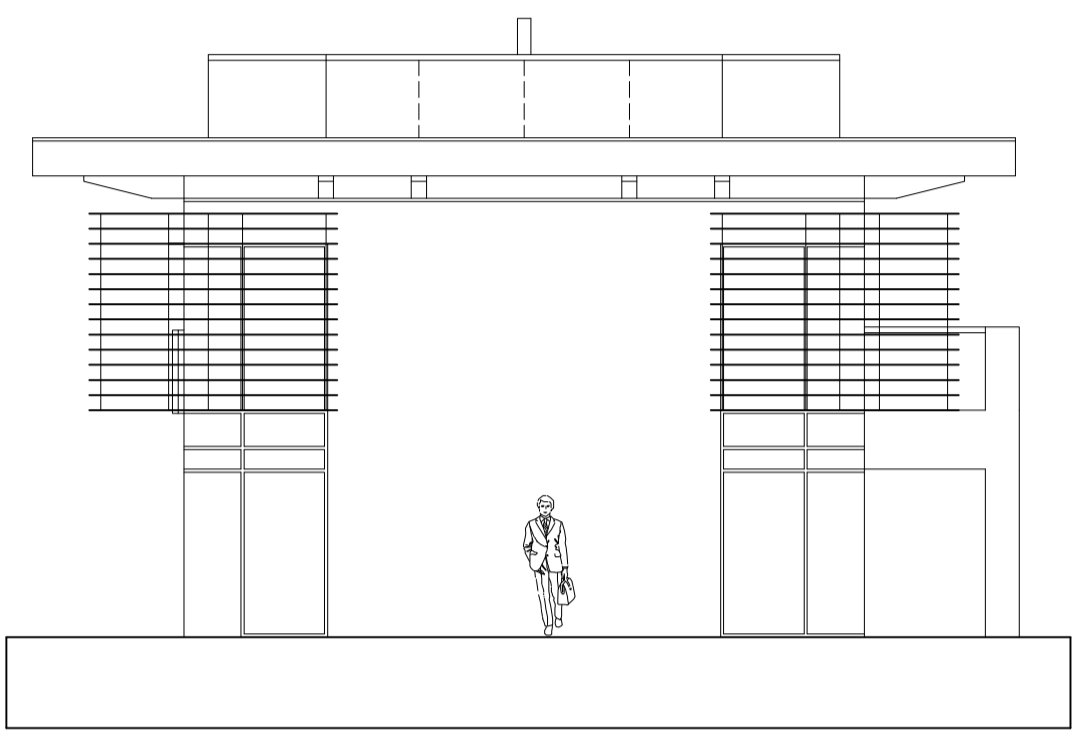
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**Project:** Willow View, Greenfields, Brockton, Newport, Shropshire, TF10 9EP  
**Subject:** New Pavilions and Granny Annexe, Site Plan  
**Project Number:** J030215  
**Drawing Number:** WV(3)101  
 Date: September 2017 Scale: 1:500 @A1  
 Revision: D Designed by TW Drawn by PRA

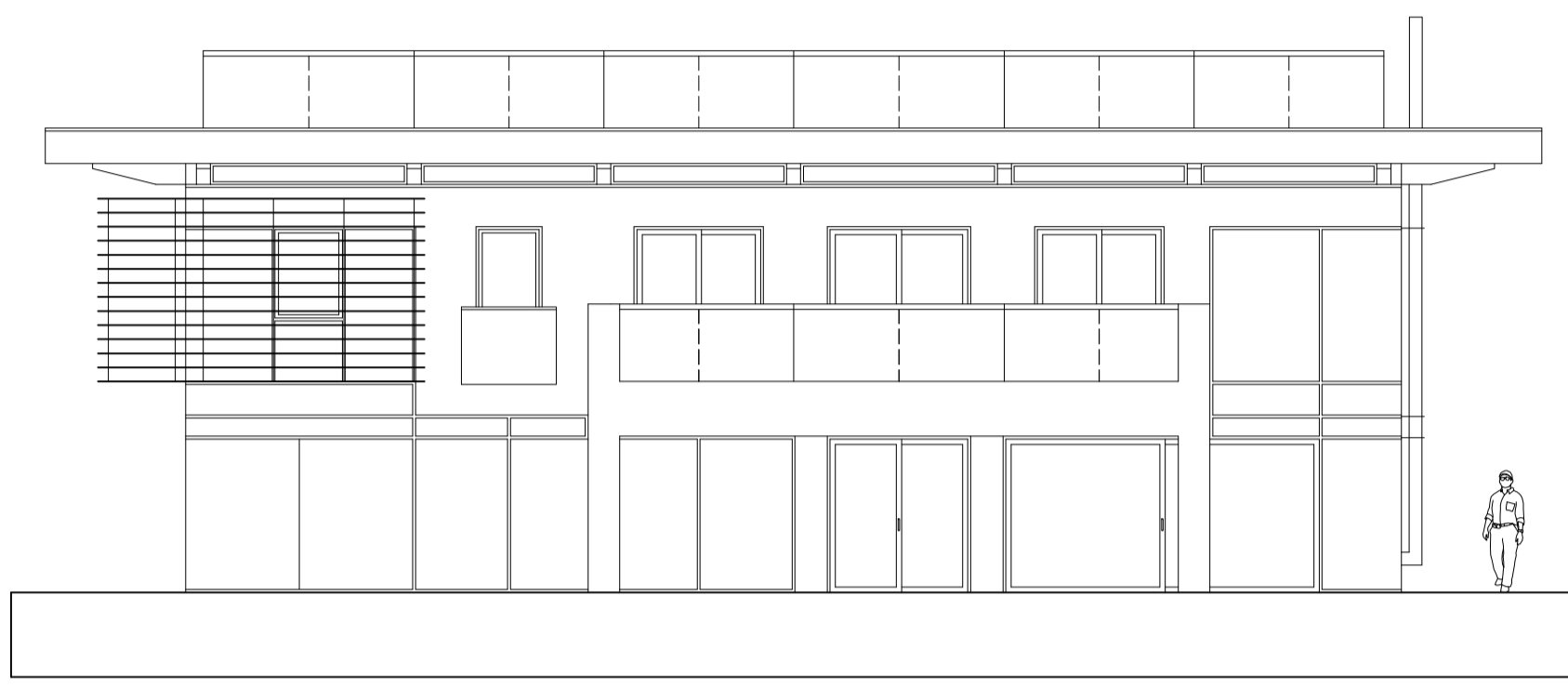
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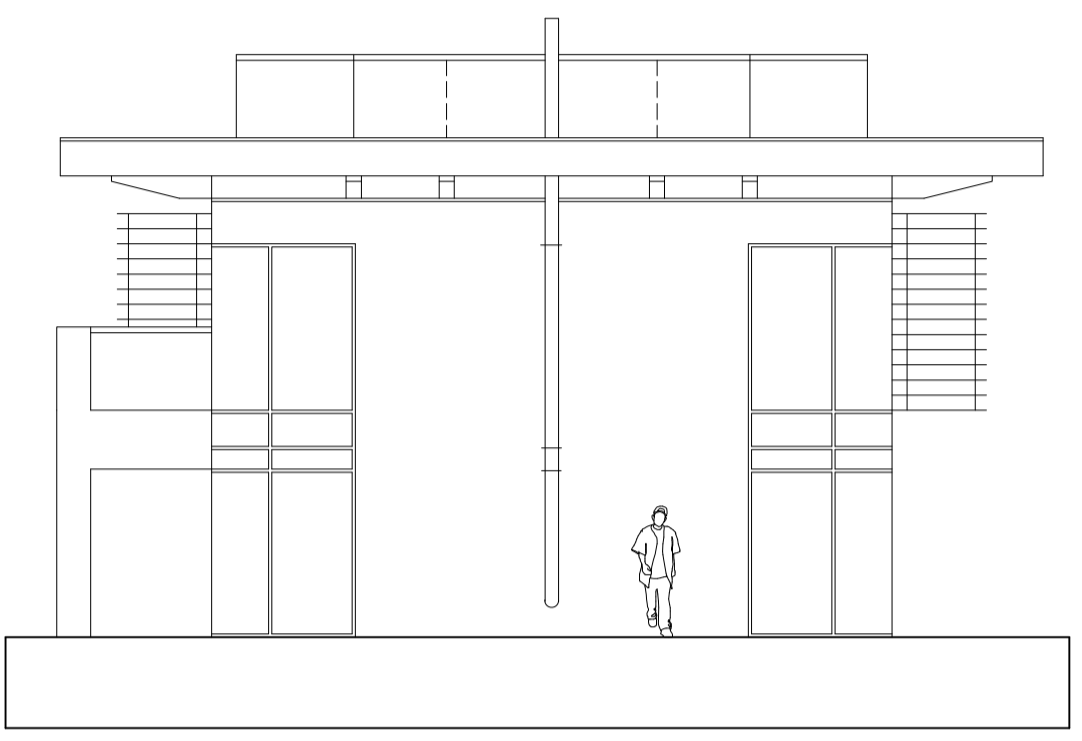
FRONT ELEVATION UNIT A



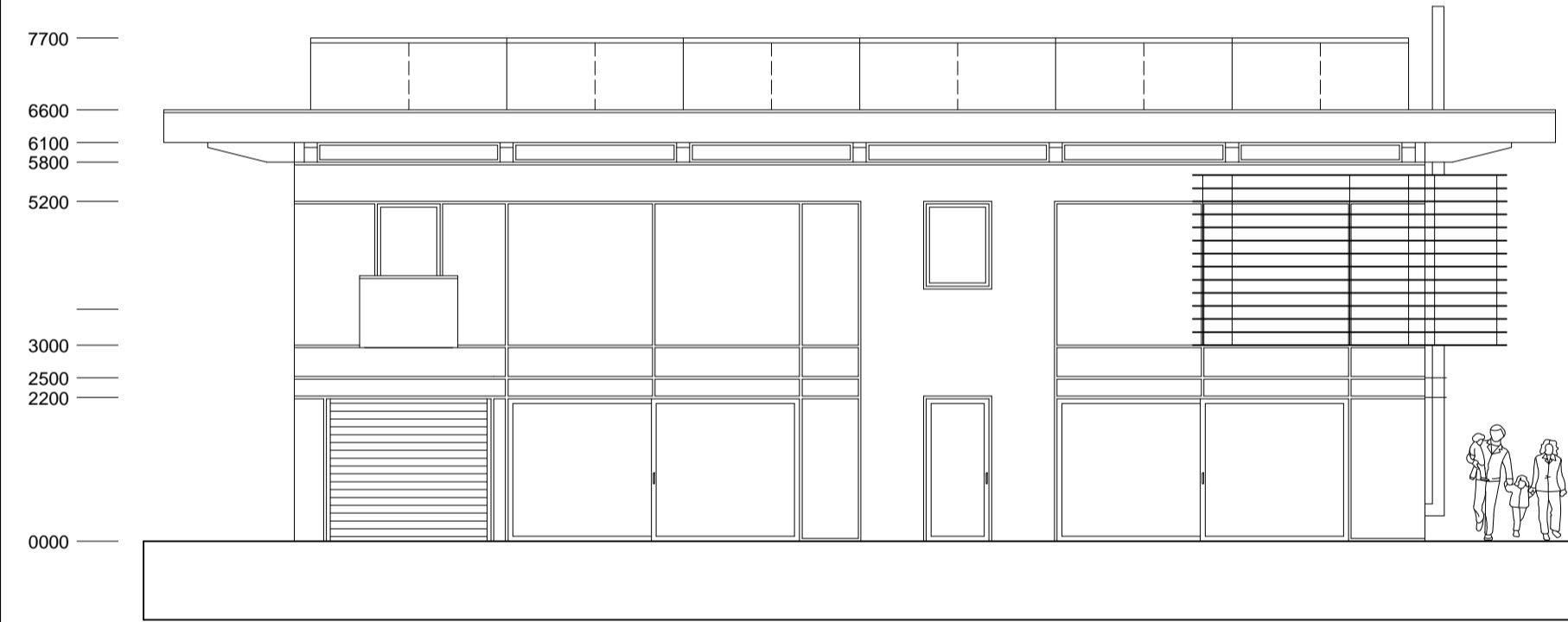
SIDE ELEVATION UNIT A



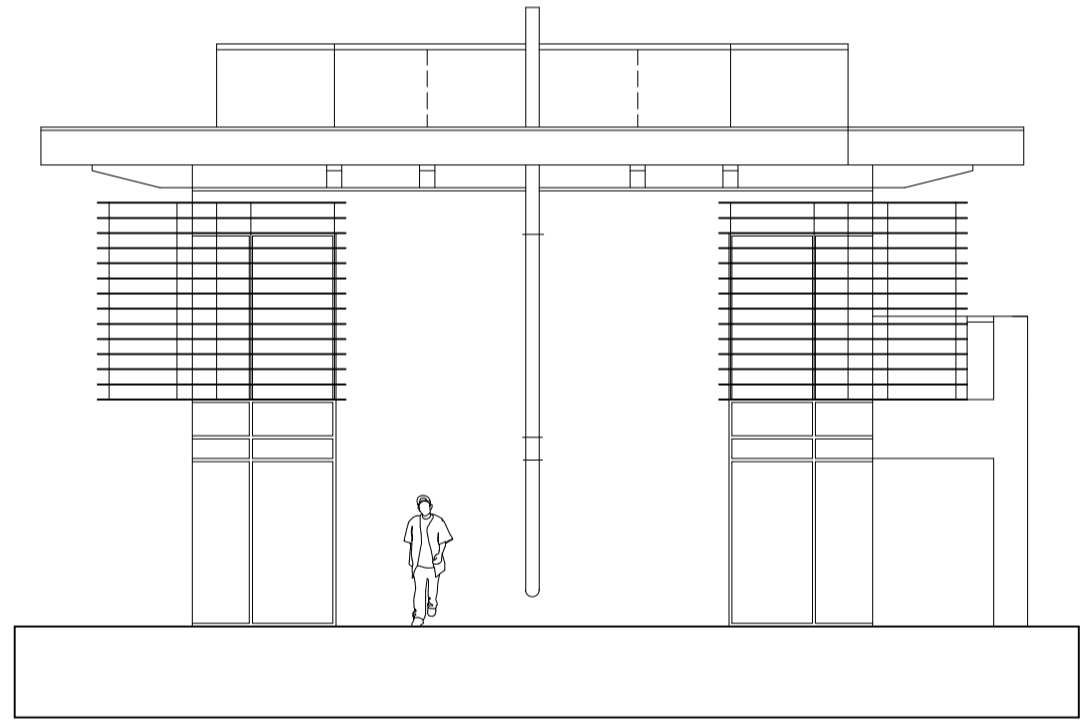
REAR ELEVATION UNIT A



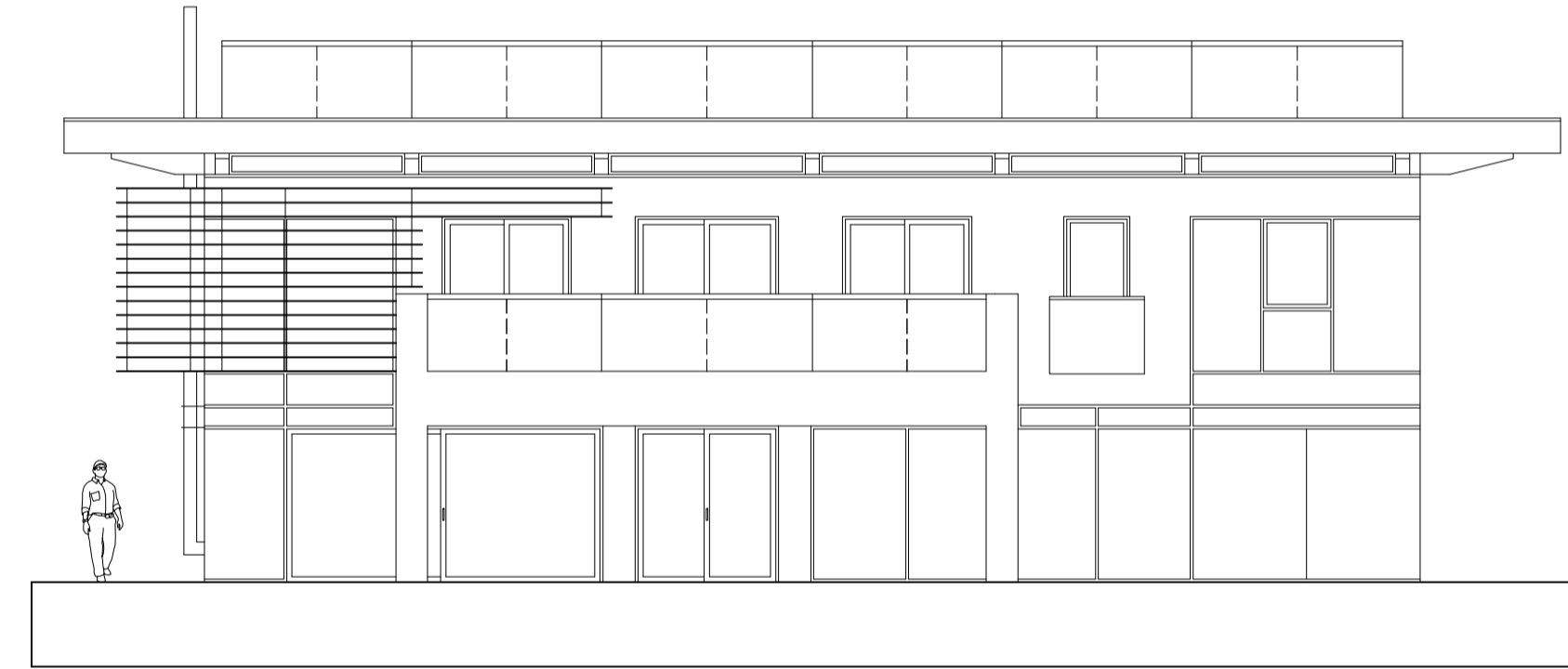
SIDE ELEVATION UNIT A



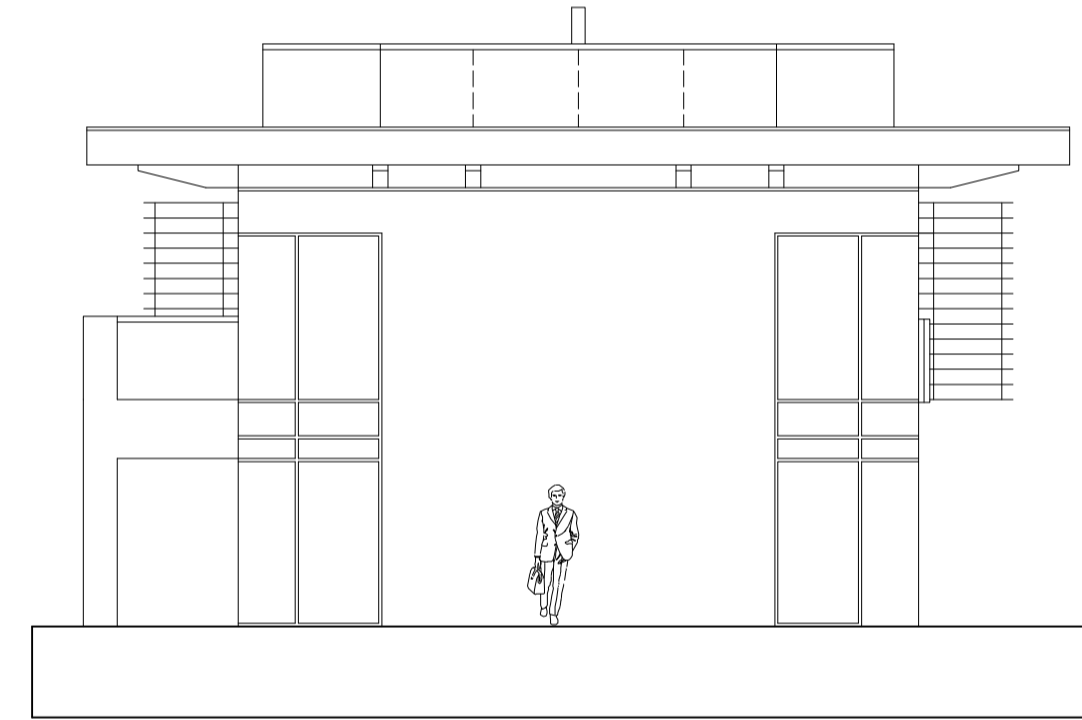
FRONT ELEVATION UNIT A a



SIDE ELEVATION UNIT A a

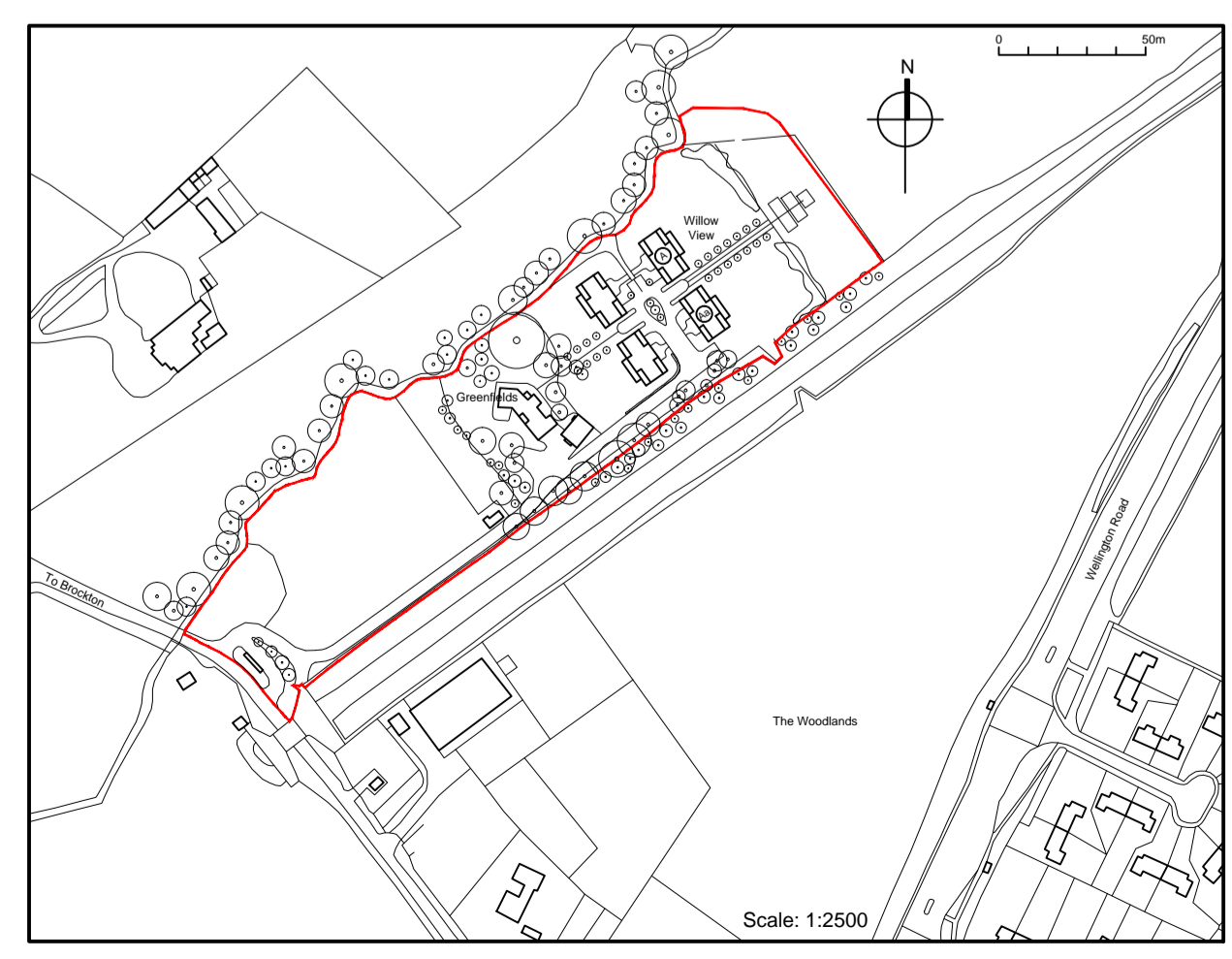


REAR ELEVATION UNIT A a



SIDE ELEVATION UNIT A a

**NOTES**  
 1. Materials include: glass and sand-blasted glass, smooth fine sand/glass white render.  
 2. Non-vernacular materials to create exemplar design in accordance with H8 Policy.

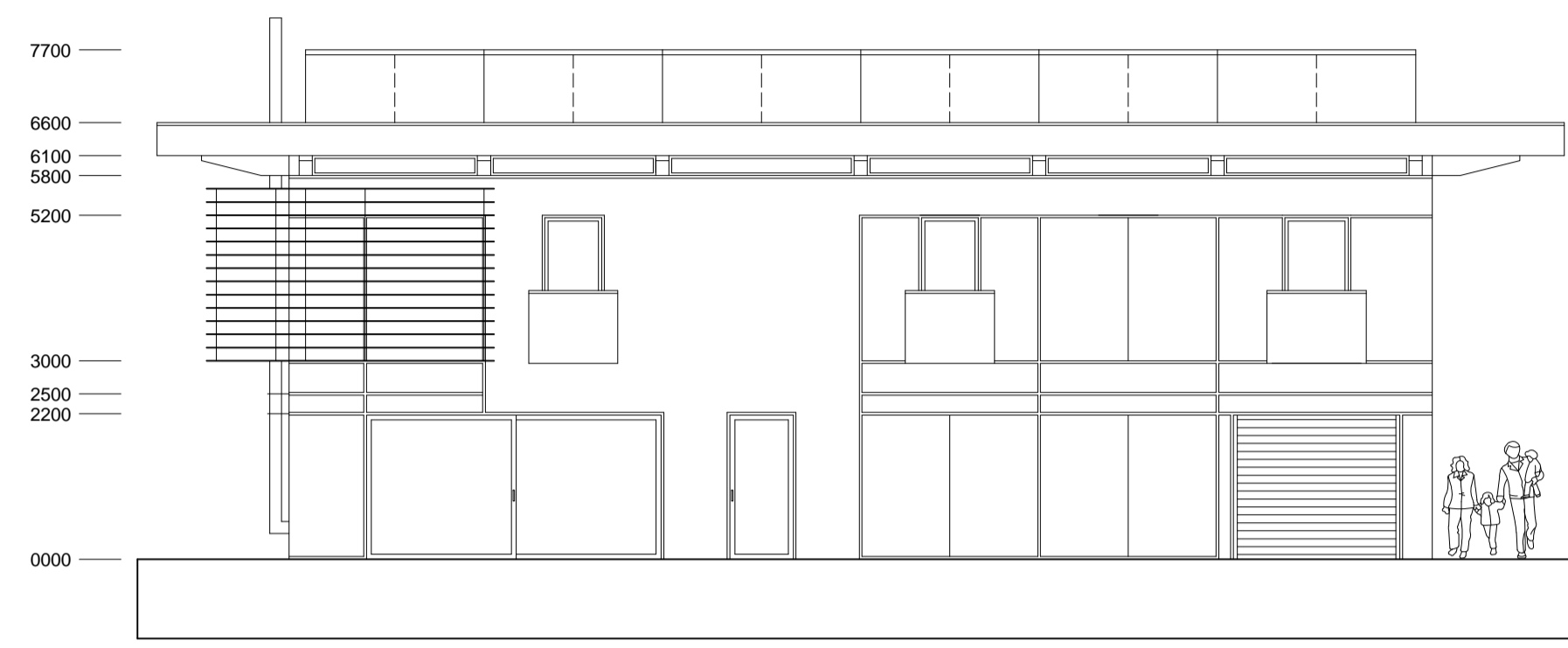


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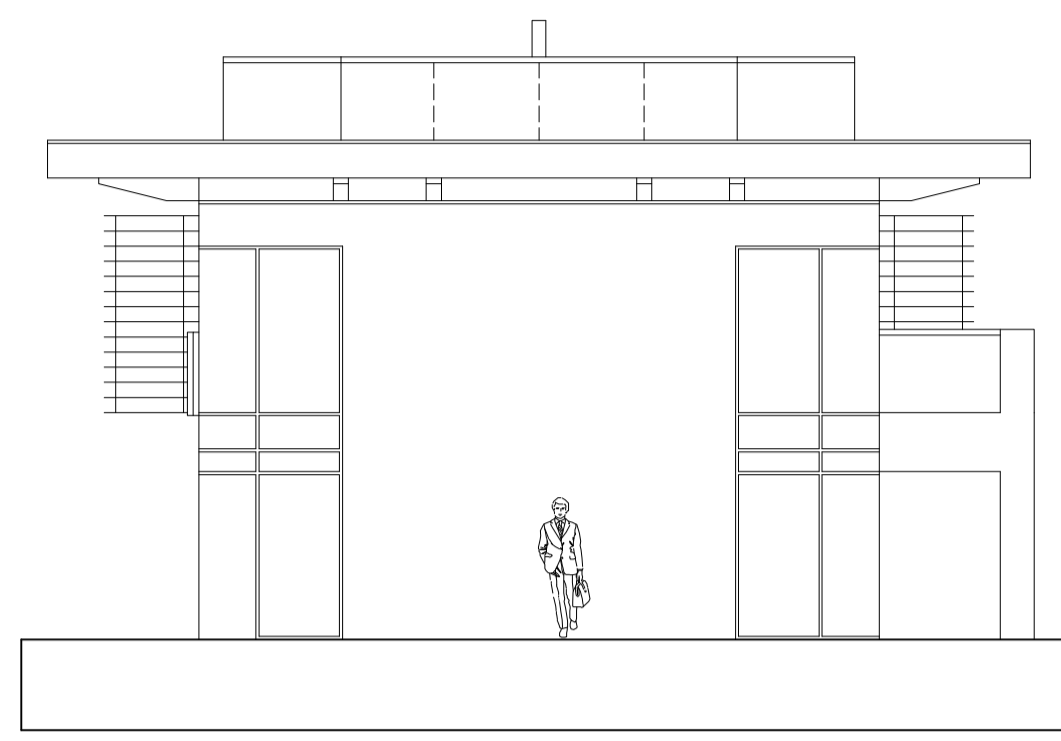
Associated with:  
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 E-mail: timmarcwarner40@gmail.com

**Project:** Willow View, Greenfields, Brockton, Newport, Shropshire, TF10 9EP  
**Subject:** New Pavilions and Granny Annexe, Elevations A & Aa  
 Project Number: **J030215**  
 Drawing Number: **WV(3)103**  
 Date: September 2017 Scale: 1:100 @A1  
 Revision: Designed by TW Drawn by PRA

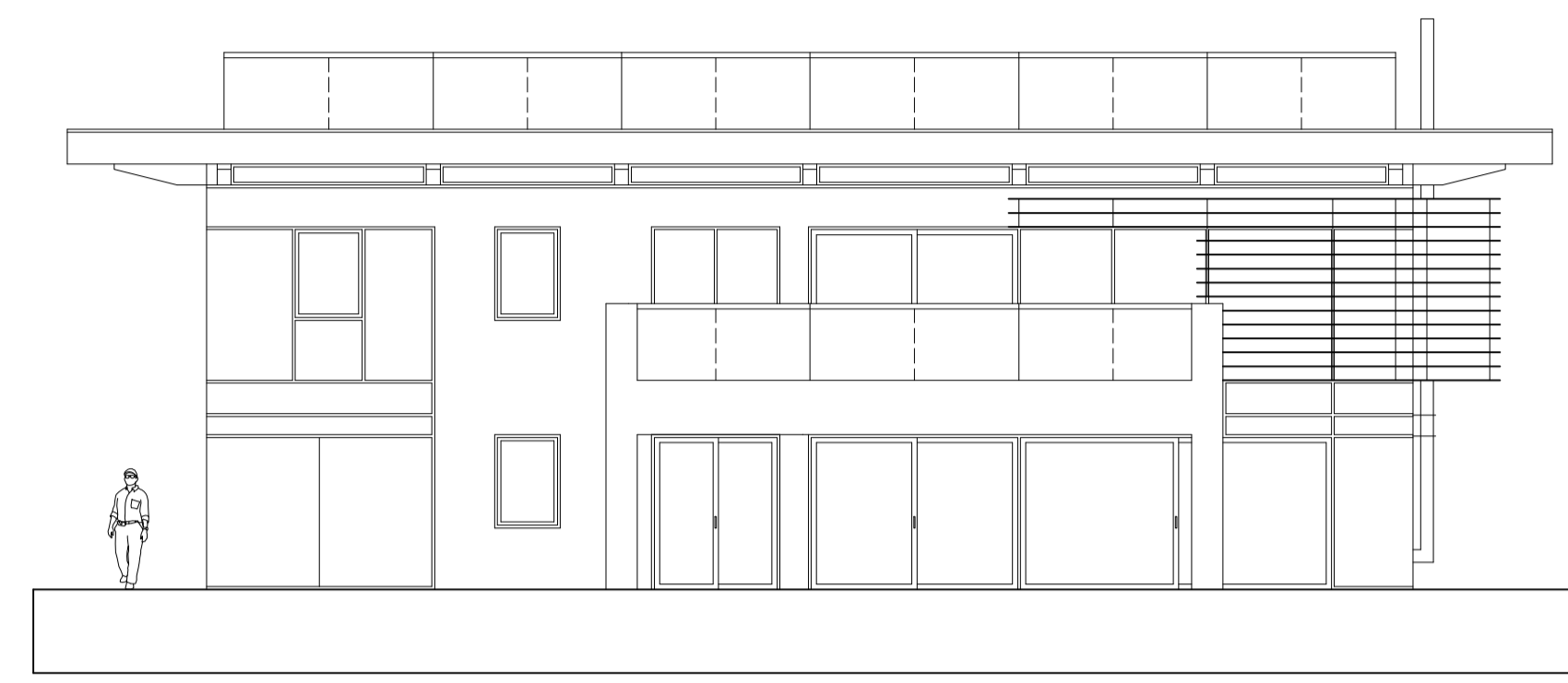
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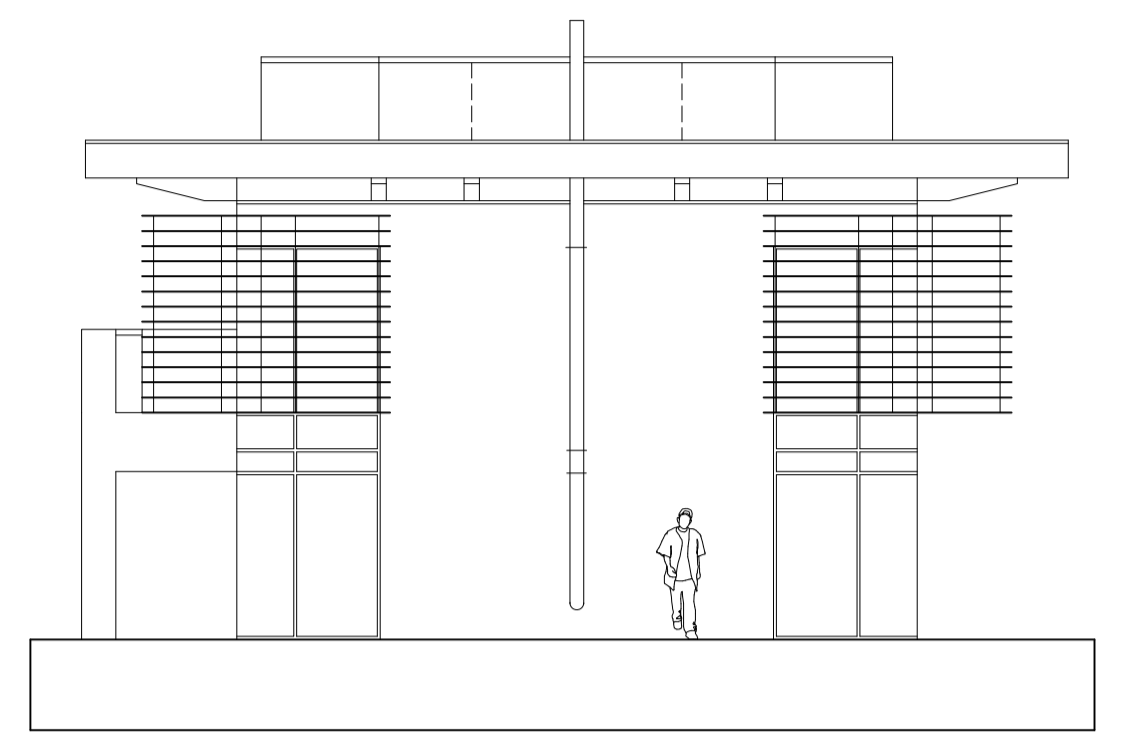
FRONT ELEVATION UNIT B



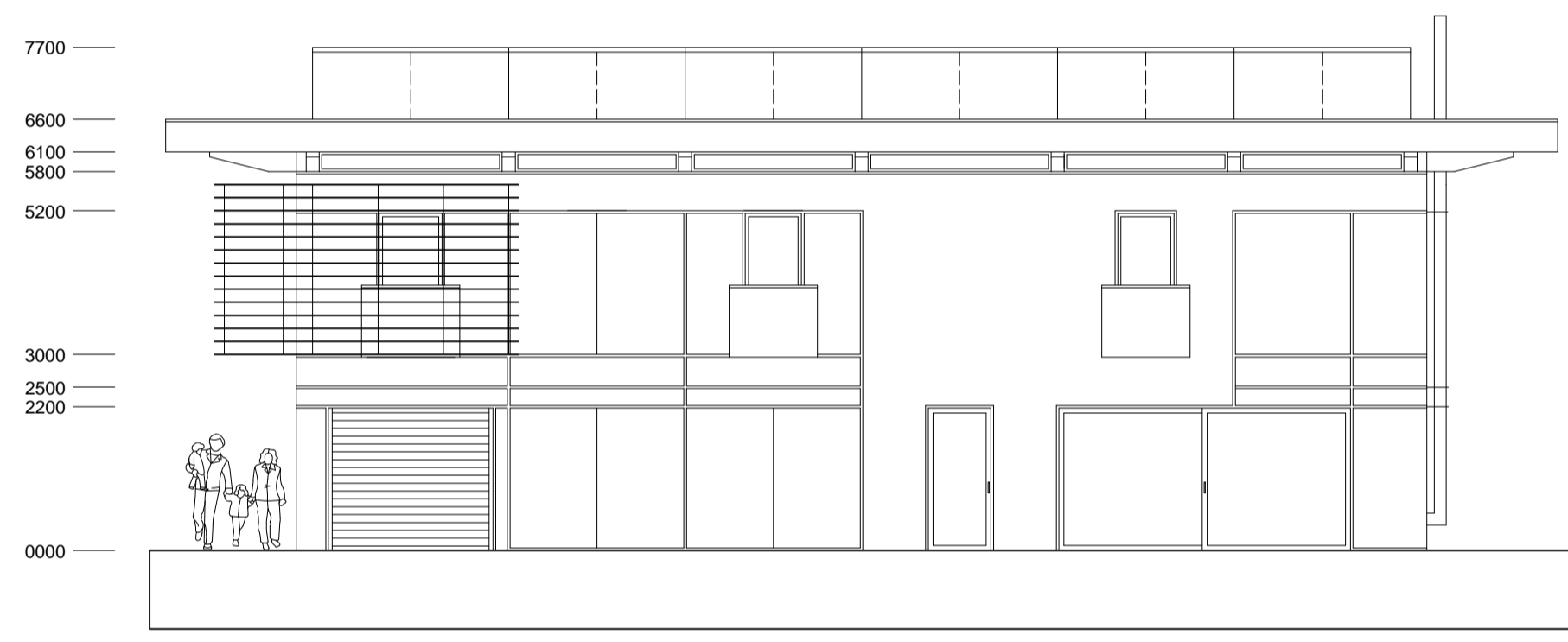
SIDE ELEVATION UNIT B



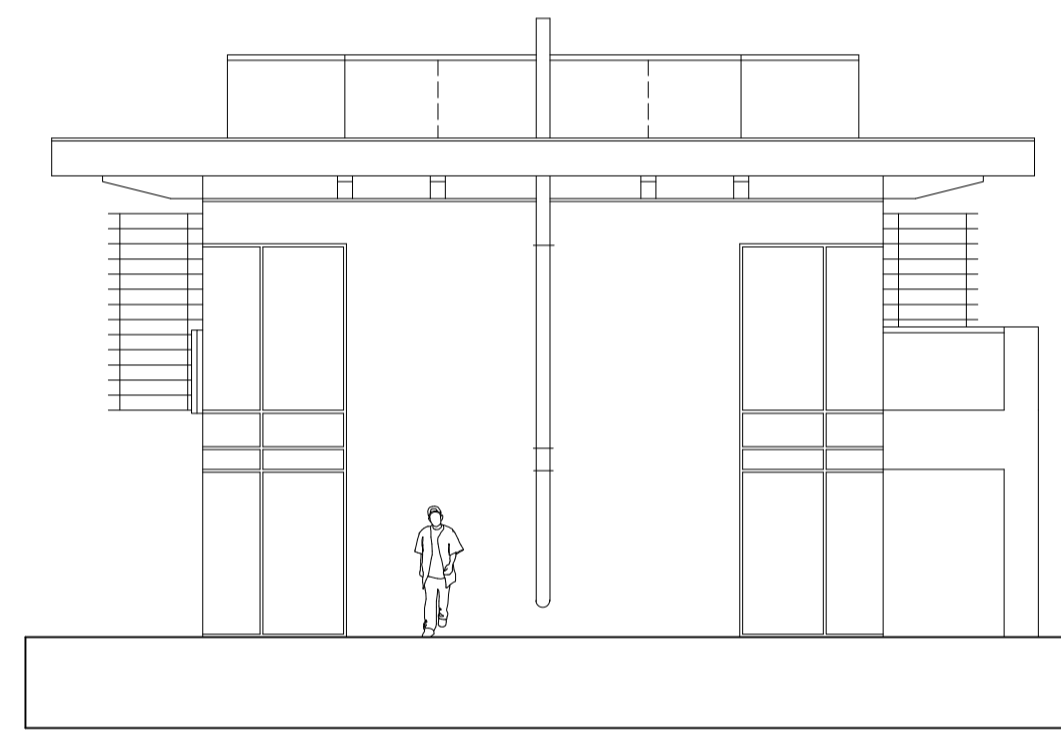
REAR ELEVATION UNIT B



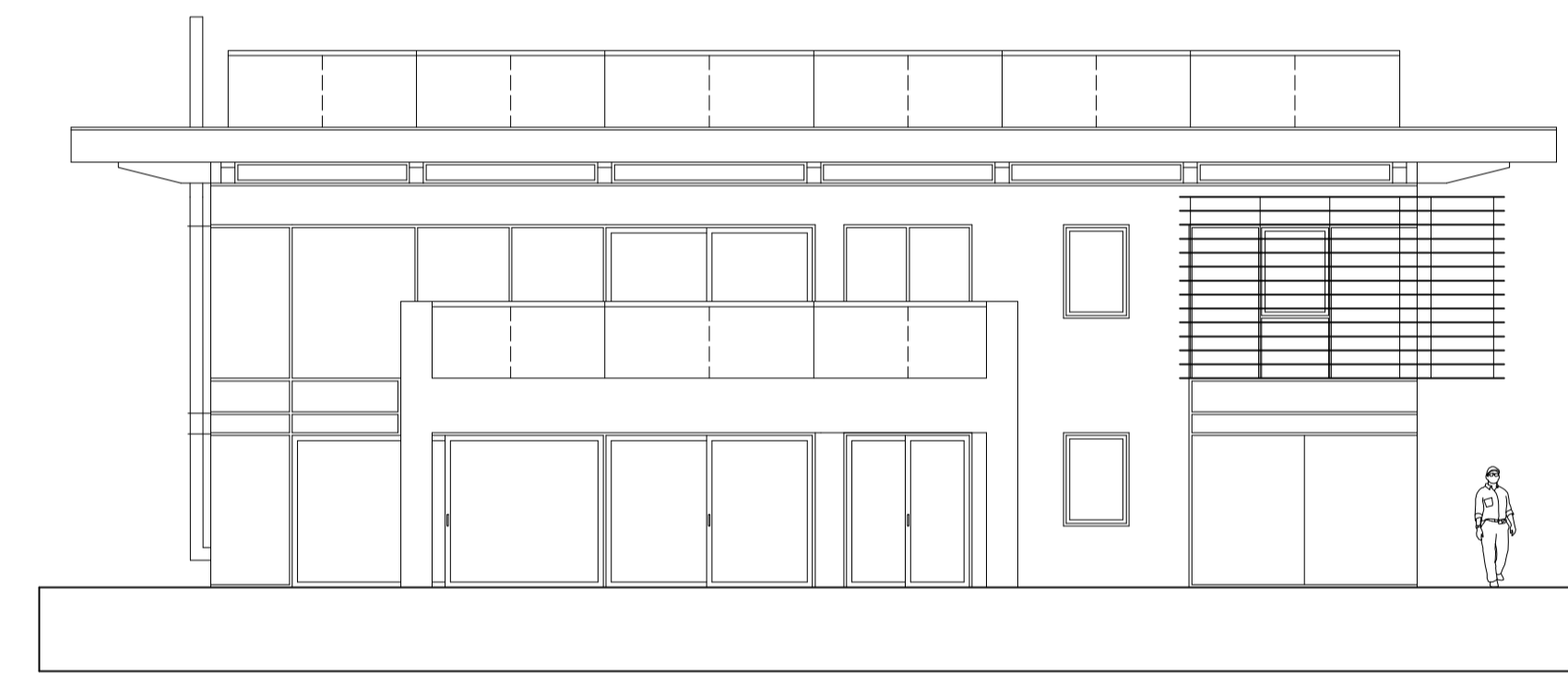
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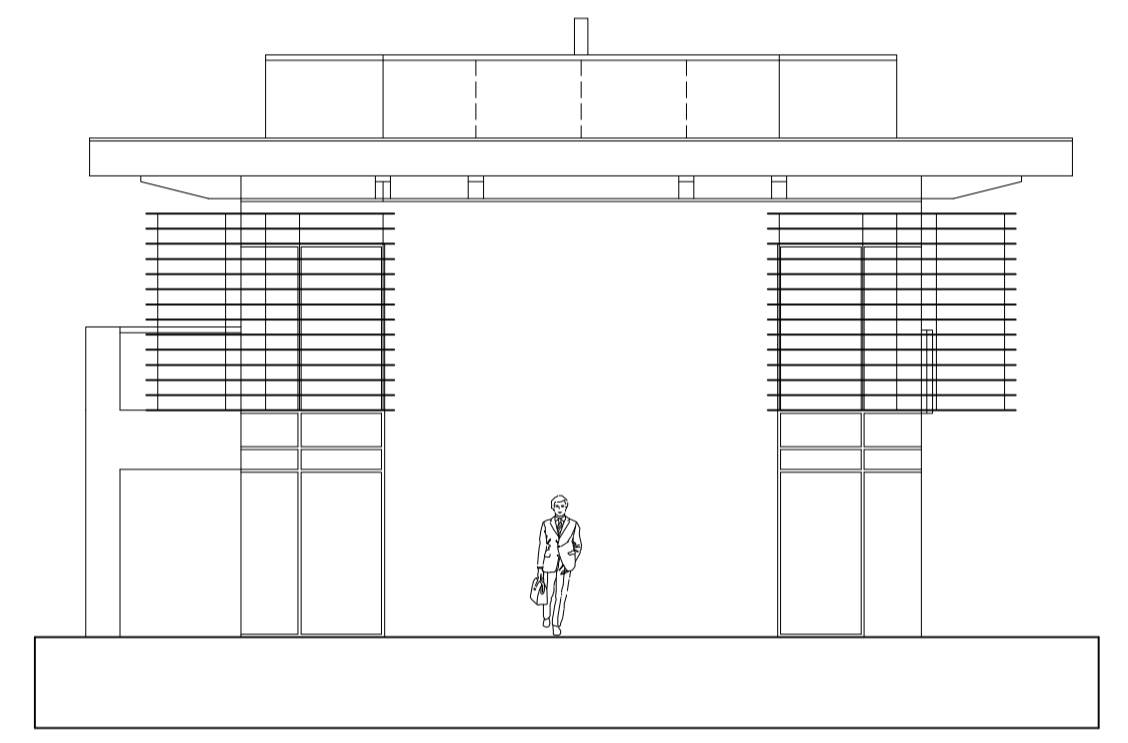
FRONT ELEVATION UNIT B b



SIDE ELEVATION UNIT B b

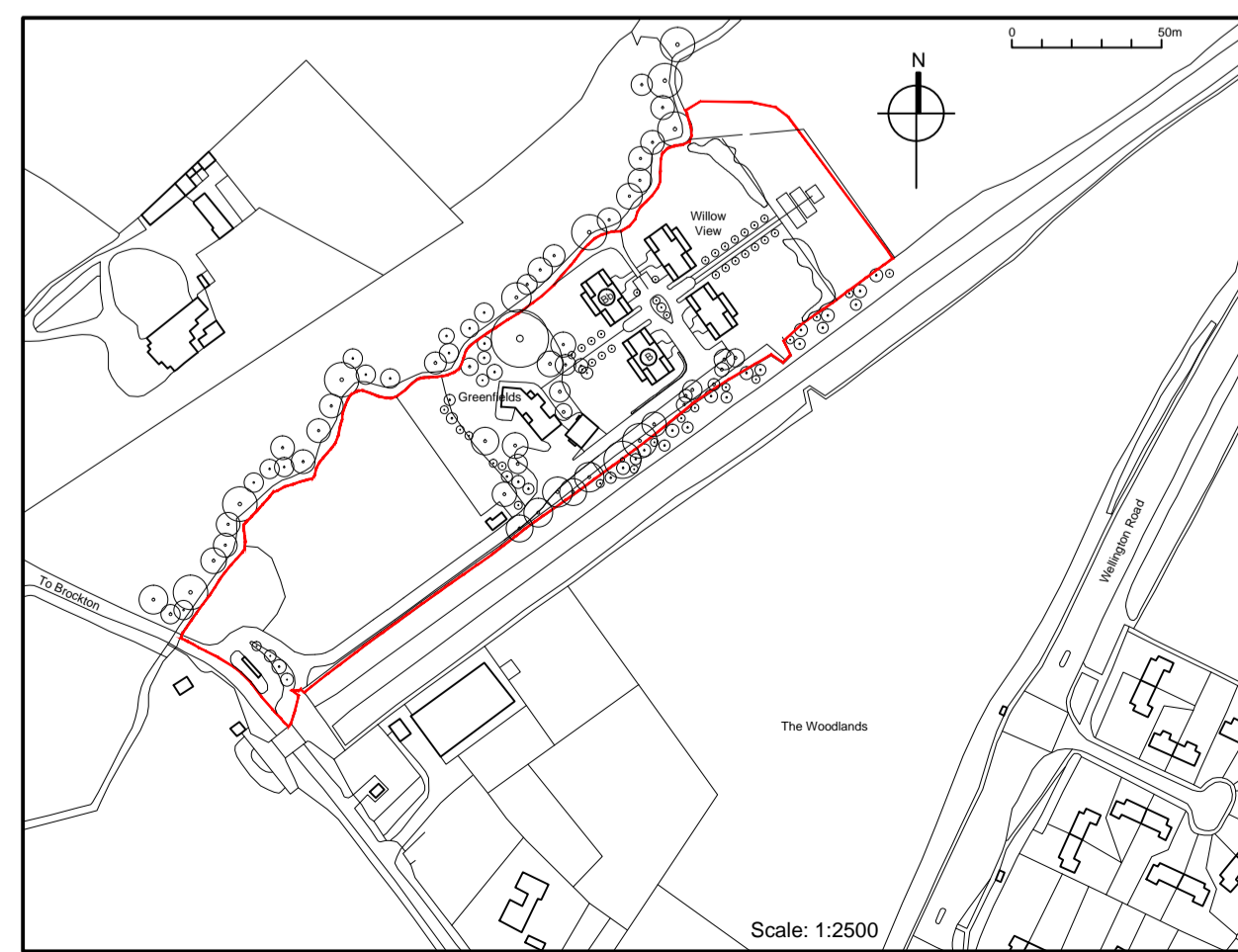


REAR ELEVATION UNIT B b



SIDE ELEVATION UNIT B b

**NOTES**  
 1. Materials include: glass and sand-blasted glass, smooth fine sand/glass white render.  
 2. Non-vernacular materials to create exemplar design in accordance with H8 Policy.



**Dwelling Technology**

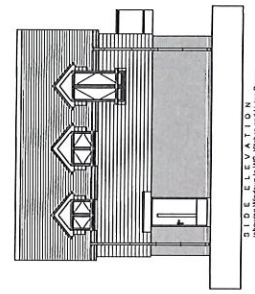
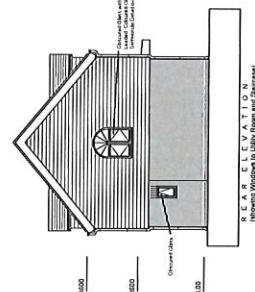
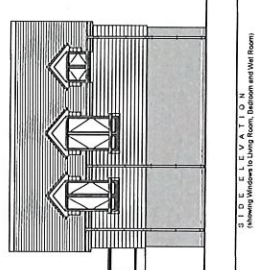
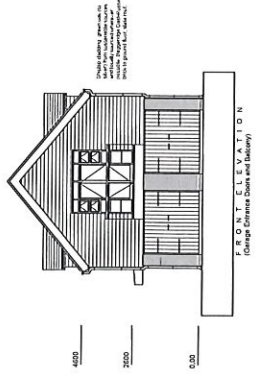
**CIAT**  
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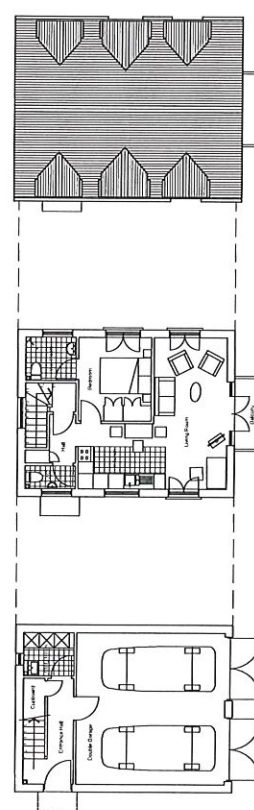
**Associated with:**  
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**Project:** Willow View, Greenfields, Brockton, Newport, Shropshire, TF10 9EP  
**Subject:** New Pavilions and Granny Annexe, Elevations B & Bb  
 Project Number: **J030215**  
 Drawing Number: **WV(3)105**  
 Date: September 2017 Scale: 1:100 @A1  
 Revision: Designed by TW Drawn by PRA

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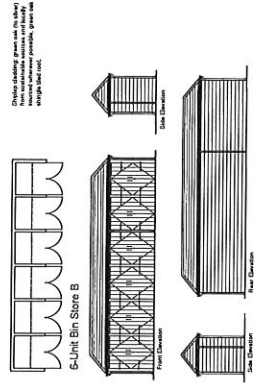
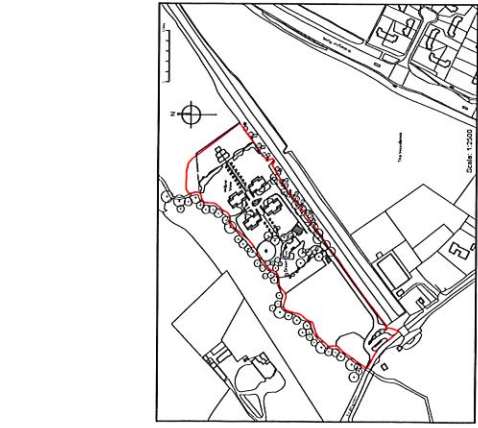
**Granny Annexe**



**G R O U N D F L O O R P L A N**  
 (Showing Double Garage, Utility Room and Stairs)

**F I R S T F L O O R P L A N**  
 (Showing V.C., Well Room, Bath, Kitchen, Living Room, Bathroom and Balcony)

**S E C O N D F L O O R P L A N**  
 (Showing Storage Room, Entrance Overhang and Balcony)



Detail drawing given by client. Some materials are to be used. Where not stated, use standard materials.

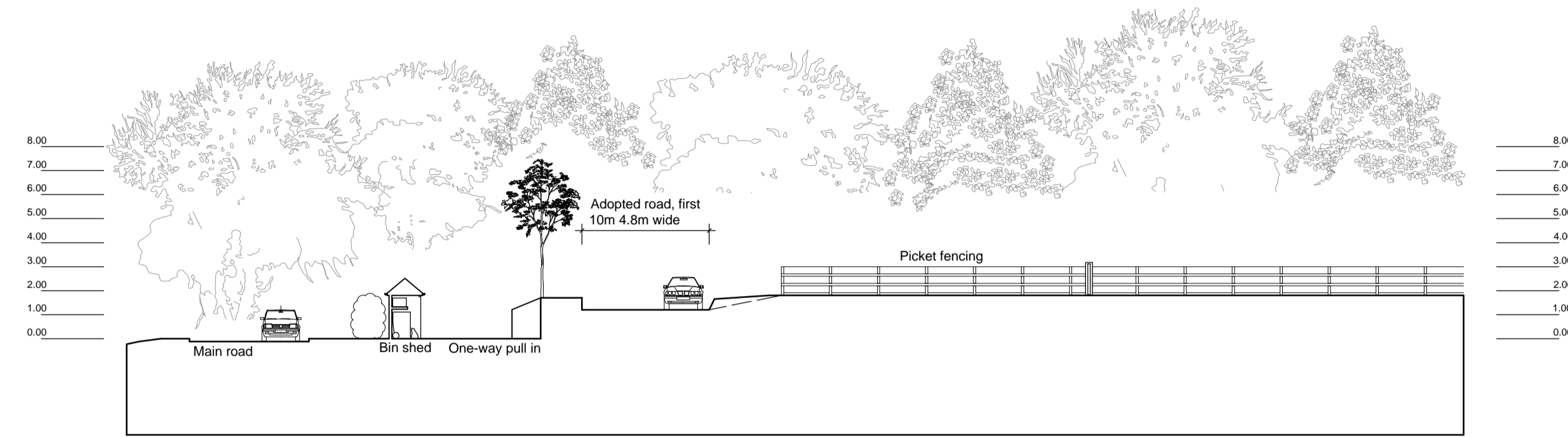


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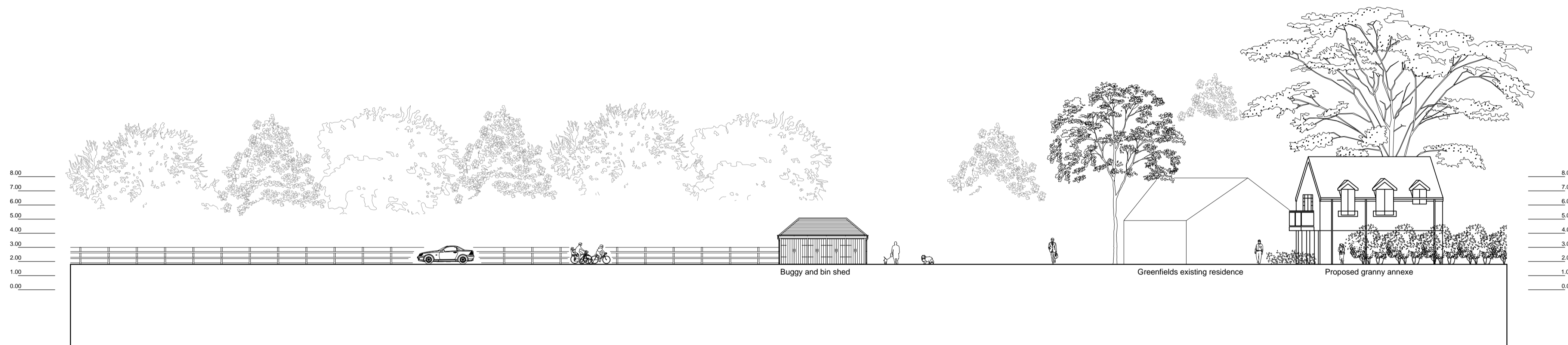
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Project: Willow View, Greenfields, Brocton, Newport, Shropshire, TF10 9EP  
 Subject: Granny Annexe and Bin Stores, Plans, Sections and Elevations  
 Project Number: J05216  
 Drawing Number: WV(3)106  
 Date: September 2017 Scale: 1:100 @A1  
 Revision: Designed by TW Drawn by PRA

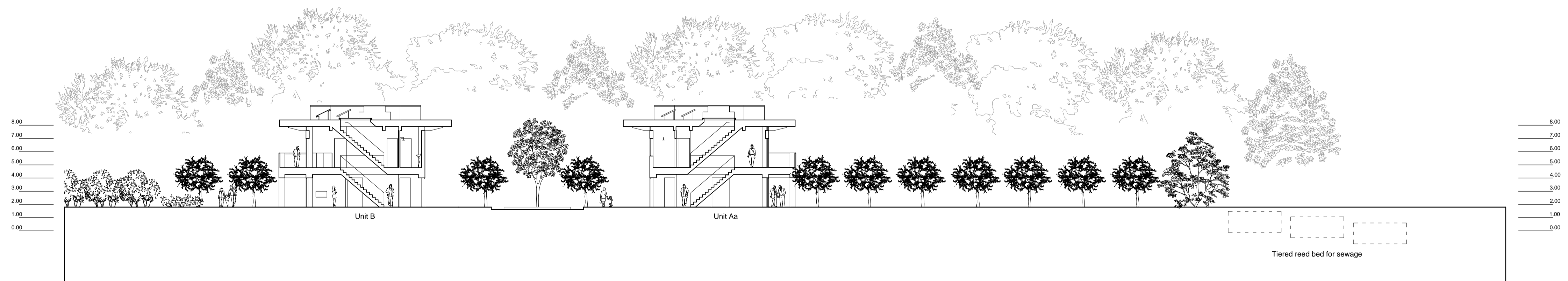
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SECTION A 1 - A 1 (LOOKING NW)



SECTION A 2 - A 2 (LOOKING NW)



SECTION A 3 - A 3 (LOOKING NW)



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**Project:** Willow View, Greenfields, Brockton, Newport, Shropshire, TF10 9EP  
**Subject:** New Pavilions and Granny Annexe, Site Section A-A  
 Project Number: **J030215**  
 Drawing Number: **WV(3)107**  
 Date: September 2017 Scale: 1:200 @A1  
 Revision: Designed by TW Drawn by PRA

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SECTION B - B (LOOKING SW)



SECTION C - C (LOOKING SW)



SECTION D - D (LOOKING NE)



SECTION E - E (LOOKING NE)

**Dwelling  
Technology**

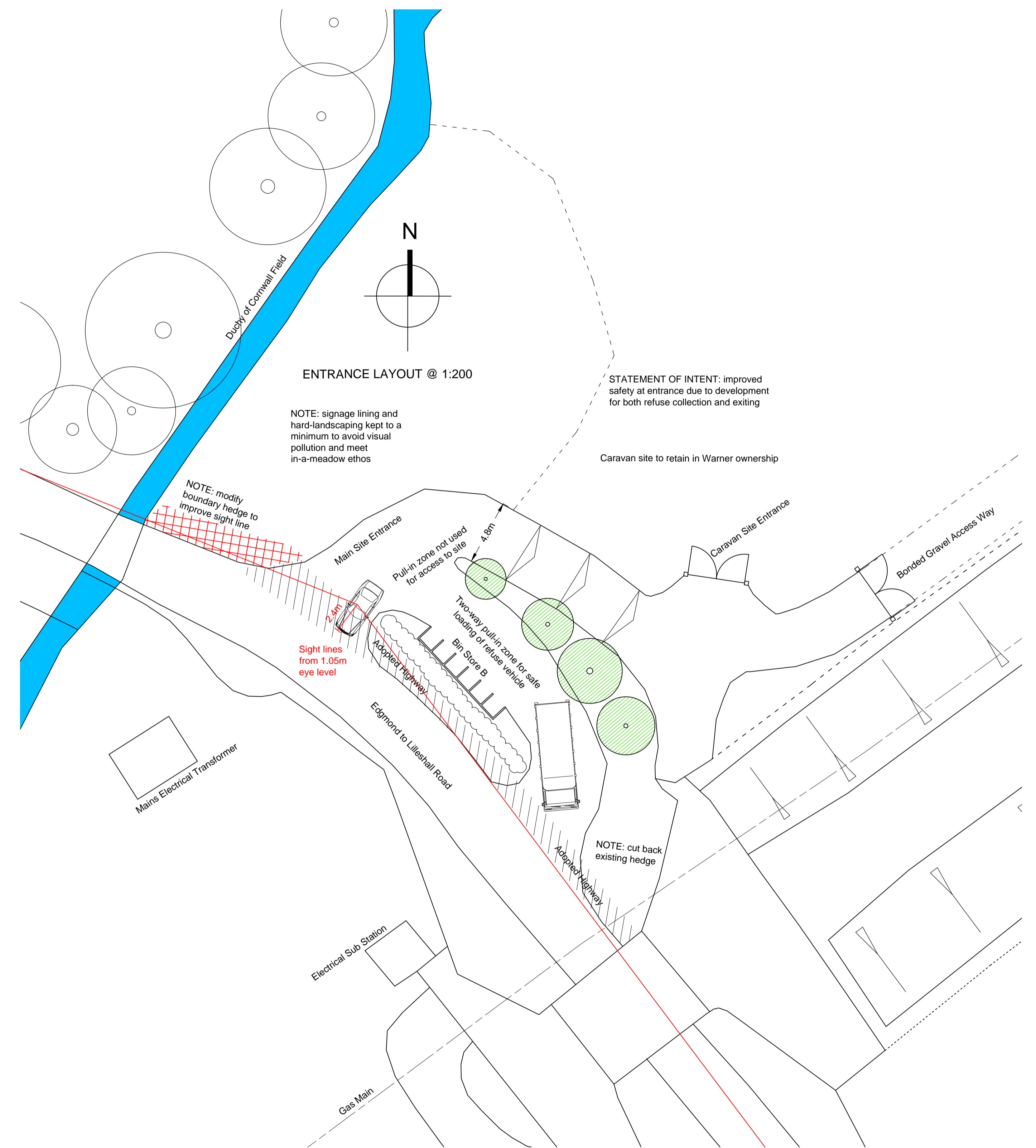
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**Project:** Willow View, Greenfields, Brockton, Newport, Shropshire, TF10 9EP  
**Subject:** New Pavilions, Site Section B-B C-C D-D and E-E  
**Project Number:** J030215  
**Drawing Number:** WV(3)108  
**Date:** September 2017 **Scale:** 1:200 @A1  
**Revision:** Designed by TW Drawn by PRA

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STATEMENT OF INTENT: improved safety at entrance due to development for both refuse collection and exiting

Caravan site to retain in Warner ownership

**Dwelling Technology**

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**Project:** Willow View, Greenfields, Brockton, Newport, Shropshire, TF10 9EP  
**Subject:** Site Entrance Details  
**Project Number:** J030215  
**Drawing Number:** WV(3)113  
**Date:** May 2018 **Scale:** 1 to 200 @A1  
**Revision:** Designed by TW Drawn by PRA

TWC/2018/0336

Land corner of, Back Lane/Plantation Road, Tibberton, Newport, Shropshire  
Erection of 2no. dwellings with associated garage and access

**APPLICANT**

Shropshire Homes Ltd ,

**RECEIVED**

19/04/2018

**PARISH**

Tibberton and Cherrington

**WARD**

Edgmond and Ercall Magna

**OFFICER** Matthew Thomas

**TIBBERTON & CHERRINGTON PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION BE CONSIDERED BY THE PLANNING COMMITTEE**

**1.0 THE PROPOSAL**

- 1.1 This full planning application seeks permission for the erection of two detached 4 bedroom dwellings with garages on a plot of land to the south-east of No.64 Plantation Road in Tibberton.
- 1.2 The principle of development has previously been established on this site through the granting of outline planning permission reference TWC/2017/0499 in October 2017 for the erection of two detached dwellings with all matters reserved. This permission remains extant until October 2020.
- 1.3 The proposed dwellings will be accessed off and form part of a new development of 25 new homes which is currently under construction following approval of outline permission in February 2015 and subsequent approval of reserved matters in May 2017.
- 1.4 Together with the application form and complete set of drawings, this application is supported by the following supporting documentation:
  - Environmental Appraisal and update of Method Statement
  - Arboricultural Report
  - Materials schedule

**2.0 SITE AND SURROUNDINGS**

- 2.1 The application site measures approximately 0.1ha and currently forms part of the private garden area belonging to No.64 Plantation Road in Tibberton.
- 2.2 The host property occupies a large plot and comprises of a 'Duke of Sutherland' style red brick cottage which has previously been extended. The dwelling is set back from the highway and boundary treatments comprise a mixture of established hedging, brick walls and post and rail fencing. There are a number of semi-mature trees along the northern boundary which are subjected to Tree Preservation Orders.

- 2.3 Whilst there are no immediate neighbouring dwellings, the land is adjacent to another site which is currently under development for 25 new dwellings. Existing development along Plantation Road are linear in form whilst elsewhere in the village development is of a higher density.
- 2.4 Tibberton is a small agricultural village, located approximately 5 miles west of Newport. It is served by a modest number of local services including a church, village hall, primary school, community-run shop and a public house.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 TWC/2017/0499 – Outline application for the erection of 2no. dwellings with all matters reserved – Outline Granted (27/10/2017)

#### *History for adjacent site*

- 3.2 TWC/2014/0230 – Outline planning application for residential development with all matters except access reserved – Outline Granted (17/02/2015)
- 3.3 TWC/2016/1127 – Reserved matters application for the erection of 25no. dwellings to include appearance, landscaping, layout and scale pursuant to outline permission TWC/2014/0230 – Reserved Matters Granted (19/05/2017)

### **4.0 PLANNING POLICY CONTEXT**

- 4.1 National Planning Guidance:  
National Planning Policy Framework
- 4.2 Telford & Wrekin Local Plan (2011-2031)  
SP3 Rural Area  
SP4 Presumption in favour of sustainable development  
HO1 Housing requirement  
HO10 Residential development in the Rural Area  
NE1 Biodiversity and geodiversity  
NE2 Trees, Hedgerows and woodlands  
C3 Impact of development on highways  
BE1 Design Criteria

### **5.0 SUMMARY OF CONSULTATION RESPONSES**

#### Standard consultation responses

- 5.1 Tibberton & Cherrington Parish Council: Object
- The Parish Council maintains its objection to any development on this site but accepts that outline planning permission for one dwelling has been approved. Access away from Plantation Road is welcomed and should not be reconsidered.
  - HO10 allows for 'limited infill' but the Parish Council contends that to squeeze two dwellings onto this plot falls foul of any reasonable interpretation of 'limited infill'.

- 5.2 Highways: Support subject to conditions:
- Parking, loading, unloading and turning of vehicles to be provided prior to occupation of the dwellings
  - Details of footpath linking the development to Plantation Road to be submitted to and approved in writing prior to commencement of works
- 5.3 Drainage: Support subject to the following conditions:
- Foul & surface water drainage – to be based on SuDS principles
- 5.4 Arboriculture: Comment – if consent is afforded to the proposal the following conditions are required:
- Tree protective fencing details
  - Tree/Hedge replacements
  - TPO Suitable Contractor for pruning of T5 (TPO'd Oak tree)
- 5.5 Ecology: Support subject to conditions
- Works in accordance with Protected Species survey
  - Ecological Mitigation Strategy & Method Statement
  - Erection of artificial nesting/roosting boxes
  - Landscaping Design
  - External Lighting Plan
  - Informatives – Nesting wilds birds, Great Crested Newts
- 5.6 Shropshire Fire Service: Comment – include Fire Authority informative

Neighbour consultation responses

- 5.7 No further representations received following neighbour consultation

**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
- Scale and design of the proposed development
- Impact upon the living conditions of neighbouring residents
- Access/Highways
- Other matters

Principle of development

- 6.2 The principle of development has previously been established on this site through the granting of outline planning permission reference TWC/2017/0499 in October 2017 for the erection of two detached dwellings with all matters reserved. This permission remains extant until October 2020.
- 6.3 Since the above permission was granted, the Telford & Wrekin Local Plan (2011-2031) has now been adopted. The primary housing policy to consider in this plan is policy HO10 which acknowledges Tibberton as a suitable settlement for development where the Council will 'support a limited amount of infill housing'. Outside of these settlements development will be limited.
- 6.4 By focussing housing, employment, and service and facility development within these settlements, a pattern of development should be created that maximises the accessibility of services and facilities to rural residents, whilst reducing the need to travel by car and enhancing local identity and character. The application site is located close to the core of the village and its services and facilities including a primary school, church, village shop and pub. Also, there are existing developments to the east and west of the site. On this basis, the Local Planning Authority is satisfied that the proposal would be compliant with local planning policy and the guidance of the National Planning Policy Framework (NPPF).

#### Scale and design of the proposed development

- 6.5 Policies BE1 of the Telford & Wrekin Local Plan 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 assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. This policy advises the Council to support development which will respect and respond positively to its context, demonstrating an integrated design approach and respecting its landscape setting.
- 6.6 There is a variety of styles and character within the village with a mixture of mature properties including Duke of Sutherland estate cottages, new traditional and modern single and two storey buildings in Tibberton. Whilst development along this part of the Plantation Road is of a much less dense form in comparison to other parts of the village, the application site will be included in another parcel of land which is currently under construction for 25 new homes. The scale and design of the proposed dwellings are reflective of this new scheme and will therefore be in-keeping with this development.

#### Impact upon the living conditions of neighbouring residents

- 6.7 Policy BE1 of the TWLP requires development proposals to demonstrate that there will be no significant adverse impacts on nearby neighbouring properties. The objectives of this policy are reflected in the NPPF which requires the provision of a good standard of amenity space for all existing and future occupants of land and buildings.

- 6.8 There are no existing neighbouring properties surrounding the site boundaries other than No.64. This property does have habitable windows within the west facing side elevation however the proposed development has allowed for a separation distance of 21m which is considered acceptable to ensure mutual privacy is retained. The proposed dwellings will be positioned approximately 13m away from the boundary with No.64, again this is considered to be appropriate for its context. Conditions will be included to the decision notice to ensure adequate forms of boundary treatment are provided which will further protect privacy between neighbours. On this basis, the application is considered compliant with local planning policy.

#### Access & Highways

- 6.9 Policy C5 of TWLP requires all development proposals to demonstrate that parking has been designed as integral to the proposal and be fit for purpose. Meanwhile policy C3 seeks to ensure that development will not adversely affect highway safety.
- 6.10 Access will be provided to the west, off the main access road serving the adjacent site which is currently under development for 25 new houses. Plot A will provide 2 parking spaces on the driveway with an additional parking space provided within the detached garage. Plot B provides 2 parking spaces on the driveway and third space in the attached garage. The Local Highways Authority has assessed the proposals and offers support subject to the inclusion of conditions relating to provision of parking prior to occupation and details of the proposed footpath linking the site with Plantation Road to be submitted to and agreed in writing with the LPA prior to commencement of works.

#### Other Matters

##### *Drainage*

- 6.11 The application site is not located within flood zones 2 and 3 (as per the Environment Agency's Flood Map). The Council's Drainage Engineers have assessed the proposals and have offered support for the proposals subject conditions requiring a scheme for foul and surface water drainage being agreed prior to commencement of development.

##### *Ecology*

- 6.12 The application is supported by an Environmental Appraisal and updated Method Statement (prepared by Greenscape Environmental Ltd). This document concludes that the development can proceed 'without the loss of habitat of significant value and without the loss of favourable conservation status of any protected species'. Mitigation measures have been identified within the report and these have been agreed by the Council's Ecologist who supports the application subject to the inclusion of conditions and informatives as listed above.

- 6.13 *Trees*

The Council's Tree Officer was originally concerned that plot A would encroach in to the root protection area of the TPO'd Oak tree. The applicant has addressed this concern by repositioning plot A to increase the structural standoff. The Tree Officer now offers support for the proposal subject to the inclusion of conditions.

## **7.0 CONCLUSIONS**

7.1 In summary, Tibberton is one of the villages identified in the development plan as suitable for growth and the principle of residential development for a pair of detached dwellings on this infill plot has previously been considered to be acceptable in principle.

7.2 The proposed development will provide two 4 bedroom detached dwellings with adequate access, on-site car parking and private garden land. The dwellings have been designed to ensure that they are in-keeping with and respectful to its location as part of a wider development of new dwellings and so as not to adversely affect the living conditions of its neighbouring properties.

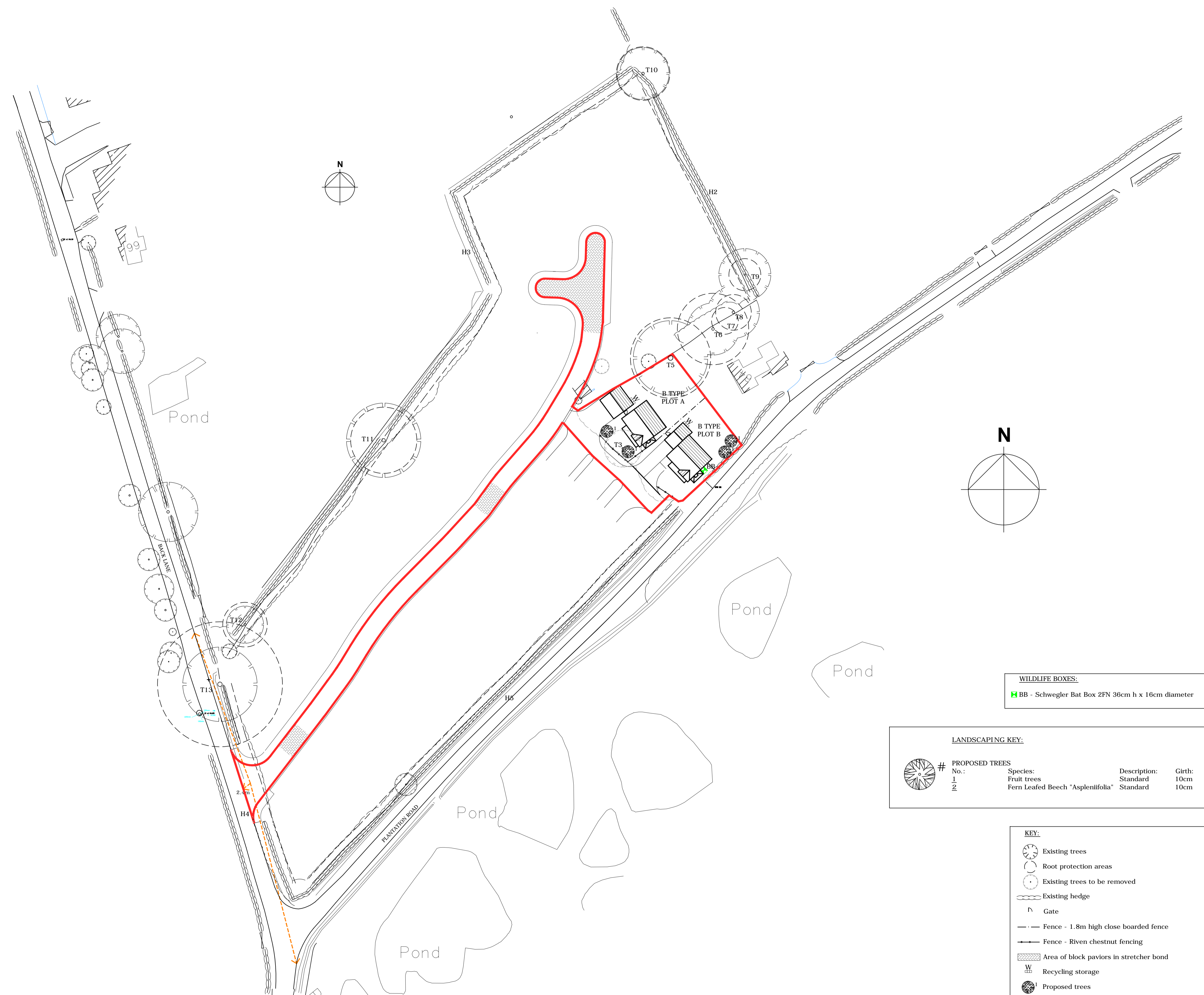
7.3 Based on the above conclusions the Local Planning Authority considers the proposal complies with the relevant national and local planning policies and recommends the application be approved subject to conditions.


## **8.0 RECOMMENDATION**

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

- Time Limit
- Details of footpath link to Plantation Road
- Parking, loading, unloading & turning
- Foul & surface water drainage
- Works in accordance with Protected Species survey
- Ecological Mitigation Strategy & Method Statement
- Erection of artificial nesting/roosting boxes
- Tree Protective fencing
- Landscaping Design
- Tree Replacements
- External Lighting Plan
- Maintenance of hedges
- Suitable Contractor for works to TPO'd Oak tree
- Development in accordance with plans
- Removal of Permitted Development rights (to include use of garages as parking only)















**WILDLIFE BOXES:**  
 BB - Schwegler Bat Box 2FN 36cm h x 16cm diameter


**LANDSCAPING KEY:**

#	PROPOSED TREES	Species:	Description:	Girth:
1	Fruit trees		Standard	10cm
2	Fern Leafed Beech "Asplenifolia"		Standard	10cm

**KEY:**

-  Existing trees
-  Root protection areas
-  Existing trees to be removed
-  Existing hedge
-  Gate
-  Fence - 1.8m high close boarded fence
-  Fence - Riven chestnut fencing
-  Area of block paviors in stretcher bond
-  Recycling storage
-  Proposed trees

REVISION	DATE	Rev. By
A	05.04.18	SC
B	17.04.18	SC
C	19.04.18	SC
D	19.06.18	RF
E	22.06.18	RF

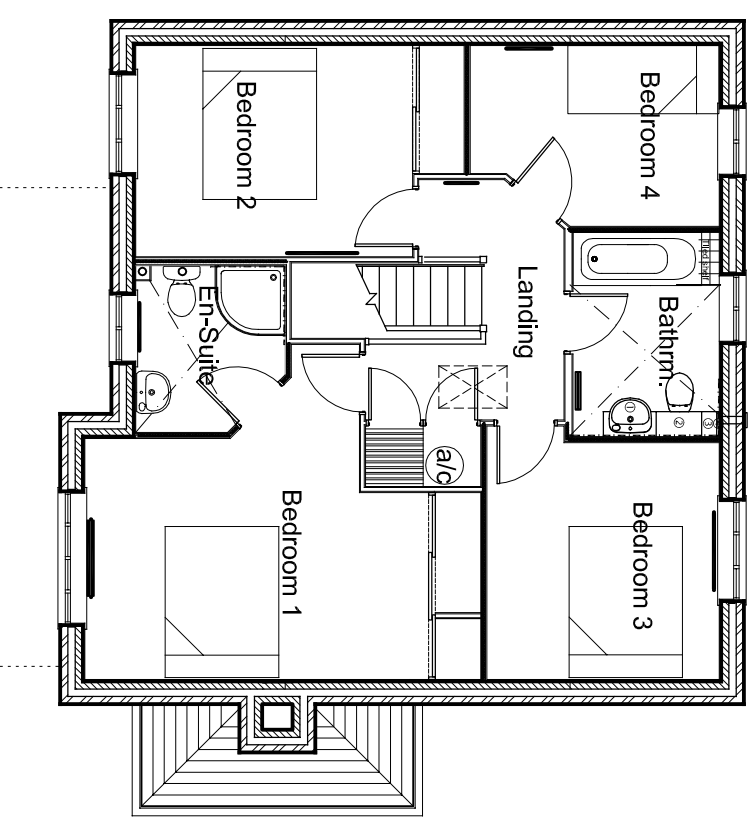
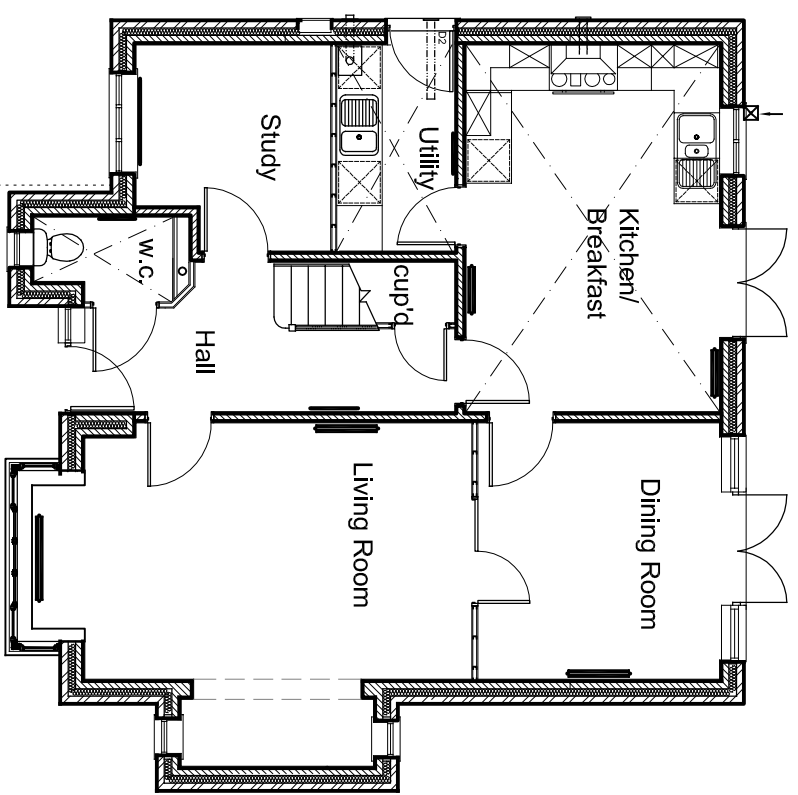


**SHROPSHIRE  
HOMES LTD**

THE OLD WORKHOUSE - CROSS HOUSES - SHREWSBURY - SHROPSHIRE - SY5 6JH  
TELEPHONE: (01743) 761789 . FACSIMILE (01743) 761773

**TITLE** Site Layout

JOB	Plantation Road, Tibberton	SCALE	1:500
DWG No.	156-P-01	DATE	March 2018
VERSION	S. Cain	DRAWN	
REVISION			E



Applies to plot A

REVISION	DATE	Rev. By
A Updated to include plot reference.	05.04.18	SC

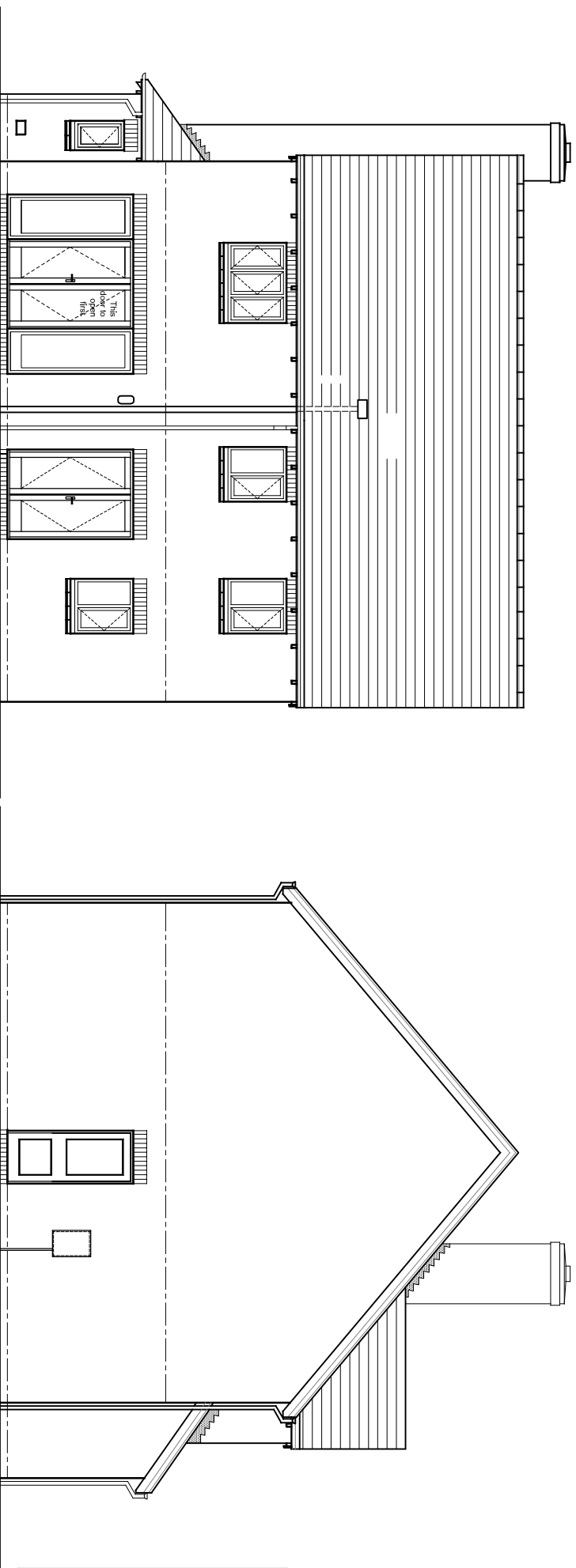
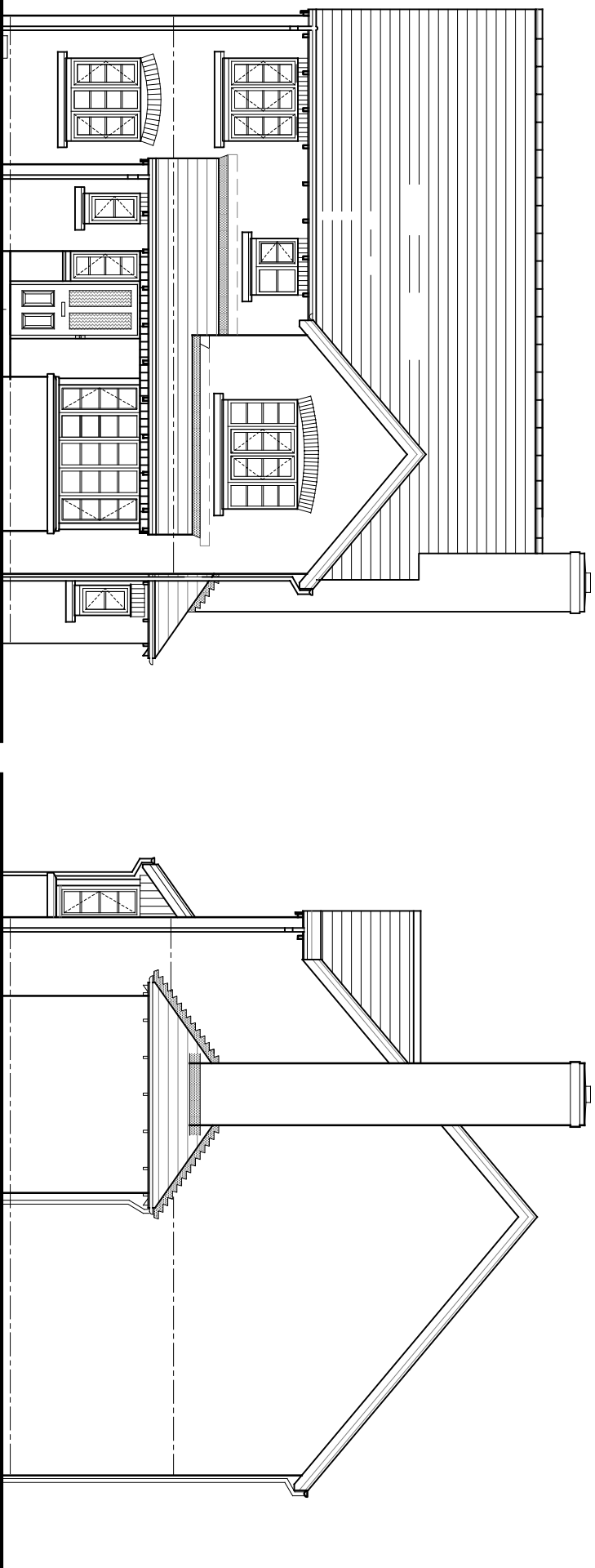


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 TELEPHONE: (01743) 761789 . FACSIMILE (01743) 761773

JOB Plantation Road, Tibberton	DATE March 2018	SCALE 1:100	REVISION A
DWG No. 156-P-04	CHECKED		
DRAWN S. Cain			





Applies to plot A

REVISION	DATE	Rev. By
A Updated to include plot reference.	05.04.18	SC



**SHROPSHIRE  
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JOB Plantation Road, Tibberton  
 TITLE B House Type Elevations

DWG No.	DATE	SCALE	REVISION
156-P-03	March 2018	1:100	A
DRAWN S. Cain	CHECKED		



Applies to plot B

REVISION	DATE	Rev. By
A Garage increased in size. Garage pushed back into garden and staggered from plot.	22.06.18	RF



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JOB Plantation Road, Tibberton	TITLE B House Type with Attached Garage Elevations
DWG No. 156-P-05	DATE March 2018
DRAWN S. Cain	CHECKED
SCALE 1:100	REVISION A